

THE HOUSE OF COMMONS

IN PARLIAMENT ASSEMBLED

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THE HOUSE OF COMMONS

T H E
Parliamentary Register;

O R,

H I S T O R Y

O F T H E

P R O C E E D I N G S A N D D E B A T E S

O F T H E

H O U S E O F C O M M O N S ;

C O N T A I N I N G A N A C C O U N T O F

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laid before and offered to the H O U S E ,

D U R I N G T H E

S E C O N D S E S S I O N of the F O U R T E E N T H P A R L I A M E N T

O F

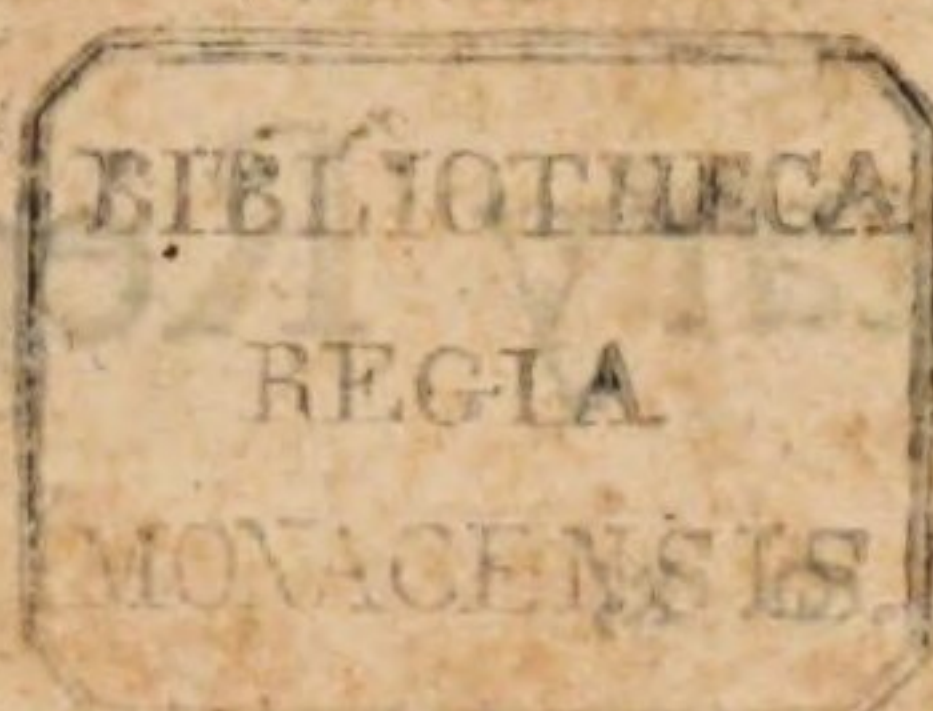
G R E A T B R I T A I N .

V O L . I V .

L O N D O N :

for J. ALMON, opposite BURLINGTON-HOUSE,
in PICCADILLY.

M.DCC.LXXVI.



THE HISTORY
OF THE
PROCEEDINGS AND DEBATES
OF THE
HOUSE OF COMMONS;

CONTAINING AN ACCOUNT OF
THE MOST INTERESTING SPEECHES AND MOTIONS; SECONDLY,
COPIES OF THE MOST REMARKABLE BILLS, PETITIONS, AND PAPERS;
OF THE MOST IMPORTANT EVIDENCE, PETITIONS, &c.
AND BEING AND OFFERED TO THE HOUSE.

DURING THE
SECOND SESSION OF THE FOURTEENTH PARLIAMENT

OF GREAT BRITAIN.

VOL. IV.

LONDON:
Printed by A. LAMON, opposite Newington-Hotel,
in PICCADILLY.

T H E
H I S T O R Y
O F T H E
PROCEEDINGS and DEBATES
Of the SECOND SESSION of the
H O U S E of C O M M O N S
O F T H E
Fourteenth Parliament of *Great-Britain.*

March 7.

MR. Buller by his Majesty's command (pursuant to an address of the House) laid before the House the following papers.

Admiralty-Office, 7th May, 1776.

Copies of all licences granted by the Lords Commissioners of the Admiralty, for exporting provisions or other goods to America in consequence of "An act to prohibit all trade and intercourse with the colonies of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pensilvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, during the continuance of the present rebellion within the said colonies respectively; for repealing an act made in the fourteenth year of the reign of his present Majesty to discontinue the landing and discharging, lading or shipping of goods, wares, and merchandize, at the town and within the harbour of Boston, in the province of Massachusetts Bay; and also two acts made in the last session of Parliament for restraining the trade and commerce of the colonies in the said acts respectively mentioned; and to enable any person or persons (appointed and authorized by his Majesty to grant pardons) to issue proclamations, in the cases, and for the purposes, therein mentioned," together with the alterations that have been made in such licences.

PARLIAMENTARY.

A. 1776.

L. S.

*By the Commissioners for executing the Office of
Lord High Admiral of Great-Britain and
Ireland, &c.*

In pursuance of an act passed in the present sessions of Parliament, entitled, "An act to prohibit all trade and intercourse with the several colonies therein mentioned?" We do hereby license authorize and permit Nathaniel Pendleton, master of the ship *Industry*, of the burthen of ninety tons to proceed with the said ship and cargo, consisting of the particulars specified in the schedule annexed, from the port of Liverpool to the port of Boston, or any other in North America, there to unload and deliver the said cargo, and to return from thence with his said ship to Great-Britain or Ireland, This licence to subsist and be in force from the day of the date hereof until her return as aforesaid.

Given under our Hands, and the Seal of the Office of Admiralty, the 1st day of February, 1776.

*To all Flag Officers, Captains, Commanders, and
other commissioned Officers in his Majesty's Pay;
and also to all others whom these Presents shall
or may concern.*

By command of their Lordships,

Note, If any goods, wares or merchandize, other than stores and provisions for his Majesty's use, or provisions for the use of the inhabitants of any town or place garrisoned or possessed by his Majesty's troops, shall be found on board any licensed ship, or if the cargoes shall not correspond with the particulars specified in the bodies of the respective licences (the necessary stores for the ship's use, and the baggage of the passengers only excepted) in either of those cases the said goods, wares, &c. shall be forfeited, seized, and prosecuted as the said act directs.

Schedule of the cargo, to be shipped in the *Industry* from Liverpool.

	Tons.		Tons.		Tons.
Potatoes	32	Wine	2	Tobacco pipes	10
Bread	10	Raisins	1	boxes, 20 casks	
Flour	10	Tobacco	2	of salt	10
Cheese	5	Sugar	2	Boxes lemons	
Beer	12			Barrels red herrings.	

The like licence granted for the ship *Renown*, to carry shoes, stockings, bay waistcoats, caps, gloves, flannels, and manufactured tobacco and other articles purchased by the assistance of a number of individuals, who on account of

Feb. 3,
1776.
N^o

A. 1776.

D E B A T E S.

3

of the rebellion in North-America had thought fit to give large sums for that purpose.

The like licence for the ship Endeavour, her cargo consisting of 200 oxen and 500 sheep to be taken from Mogodore, or some other port on the coast of Africa. Feb. 5, 1776. No. 3.

The like licence for the cargo in the ship Providence. Feb. 5, 1776. No. 4.

The like licence for the ship Katty, from Glasgow, her cargo consisting of 336 barrels of strong beer contained in 100 hogsheads, and 3000 dozen of bottles packed in casks. Feb. 5, 1776. No. 5.

The like licence for the ship City of London, from London, her cargo consisting of Feb. 5, 1776. No. 6.

Beef	Groceries	Cheese	British spirits
Pork	Linen	Slops	Camp necessaries.
Herrings	Hosiery	Porter	

The like licence for the ship Christian, from Waterford, her cargo consisting of Feb. 14, 1776. No. 7.

150 barrels of porter	1 ton fitches bacon
224 ditto beef	2 ditto tongues
3 tons oatmeal	2 ditto cheese
10 ditto peas	4 ditto flour
10 ditto biscuits	48 barrels of herrings
25 puncheons rum	2 tons of onions
4 tons of barley	1 ditto raisins
3 ditto potatoes	170 firkins of butter
2 ditto bacon hams	300 pounds of black pepper
2 ditto mutton ditto	200 ditto mustard.

The like licence for the Le Soye, Planter, from London, her cargo consisting of Feb. 16, 1776. No. 8.

80 chaldron of coals	1000 gallons salad oil	This was stopt on an application made to the Commissioners of the customs on the 15th of March.
200 oxen	25 barrels anchovies	
300 sheep	50 C. raisins	
100 hogs	50 ditto currants	
150 pieces of cloth, assorted	50 pounds flour of mustard	
250 ditto of Irish linen	25 bushels split peas	
250 reams of paper	250l. worth of hats, assorted	
500 hundred of quills	250l. worth oil and painters colours	
50 pounds of wafers and 30lb. of sealing wax	250 pieces check or hides	
Pins and haberdashery to the value of 750l.	10000 butt soles for shoes	
15 tons of nails or wrought iron	6000 grofs of corks	
5 ditto Spanish and Portugal wines, assorted	5 tons of soap	
300 dozen ale and bottled beer	Window glass to the value of 1200l.	
Hosiery assorted to the value of 750l.	Twist, stay-tape, buttons, buckram and all materials for taylors use, to the value of 2000l.	
Slops for sailors to the amount of 500l.	40000 tin plates for tinmen	
2½ tons of cheese, Cheshire and Gloucester	5 tons of pewter, assorted	
25 barrels Irish tongues	5 puncheons of rum	
	5 C. of candles.	

The like licence for the ship Mentor, from London, her cargo consisting of Feb. 20, 1776. No. 9.

80 chal-

L. S.

*By the Commissioners for executing the Office of
Lord High Admiral of Great-Britain and
Ireland, &c.*

In pursuance of an act passed in the present sessions of Parliament, entitled, "An act to prohibit all trade and intercourse with the several colonies therein mentioned?" We do hereby license authorize and permit Nathaniel Pendleton, master of the ship *Industry*, of the burthen of ninety tons to proceed with the said ship and cargo, consisting of the particulars specified in the schedule annexed, from the port of Liverpool to the port of Boston, or any other in North America, there to unload and deliver the said cargo, and to return from thence with his said ship to Great-Britain or Ireland, This licence to subsist and be in force from the day of the date hereof until her return as aforesaid.

Given under our Hands, and the Seal of the Office
of Admiralty, the 1st day of February, 1776.

*To all Flag Officers, Captains, Commanders, and
other commissioned Officers in his Majesty's Pay;
and also to all others whom these Presents shall
or may concern.*

By command of their Lordships,

Note, If any goods, wares or merchandize, other than stores and provisions for his Majesty's use, or provisions for the use of the inhabitants of any town or place garrisoned or possessed by his Majesty's troops, shall be found on board any licensed ship, or if the cargoes shall not correspond with the particulars specified in the bodies of the respective licences (the necessary stores for the ship's use, and the baggage of the passengers only excepted) in either of those cases the said goods, wares, &c. shall be forfeited, seized, and prosecuted as the said act directs.

Schedule of the cargo, to be shipped in the *Industry* from Liverpool.

	Tons.		Tons.		Tons.
Potatoes	32	Wine	2	Tobacco pipes	10
Bread	10	Raisins	1	boxes, 20 casks	
Flour	10	Tobacco	2	of salt	10
Cheese	5	Sugar	2	4 Boxes lemons	
Beer	12			2 Barrels red herrings.	

The like licence granted for the ship *Renown*, to carry shoes, stockings, bay waistcoats, caps, gloves, flannels, and manufactured tobacco and other articles purchased by the munificence of a number of individuals, who on account

Feb. 3,
1776.
No. 2.

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The like licence for the ship City of London, from London, her cargo consisting of Feb. 5, 1776. No. 6.

Beef	Groceries	Cheese	British spirits
Pork	Linen	Slops	Camp necessaries.
Herrings	Hosiery	Porter	

The like licence for the ship Christian, from Waterford, her cargo consisting of Feb. 14, 1776. No. 7.

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224 ditto beef	2 ditto tongues
3 tons oatmeal	2 ditto cheese
10 ditto peas	4 ditto flour
10 ditto biscuits	48 barrels of herrings
25 puncheons rum	2 tons of onions
4 tons of barley	1 ditto raisins
3 ditto potatoes	170 firkins of butter
2 ditto bacon hams	300 pounds of black pepper
2 ditto mutton ditto	200 ditto mustard.

The like licence for the Le Soye, Planter, from London, her cargo consisting of Feb. 16, 1776. No. 8.

80 chaldron of coals	1000 gallons salad oil	This was stopt on an application made to the Commissioners of the customs on the 15th of March.
200 oxen	25 barrels anchovies	
500 sheep	50 C. raisins	
100 hogs	50 ditto currants	
150 pieces of cloth, assorted	50 pounds flour of mustard	
250 ditto of Irish linen	25 bushels split peas	
250 reams of paper	250l. worth of hats, assorted	
500 hundred of quills	250l. worth oil and painters colours	
50 pounds of wafers and 30lb. of sealing wax	250 pieces check or hides	
Pins and haberdashery to the value of 750l.	10000 butt soles for shoes	
15 tons of nails or wrought iron	6000 gross of corks	
5 ditto Spanish and Portugal wines, assorted	5 tons of soap	
300 dozen ale and bottled beer	Window glass to the value of 1200l.	
Hosiery assorted to the value of 750l.	Twist, stay-tape, buttons, buckram and all materials for taylors use, to the value of 2000l.	
Slops for sailors to the amount of 500l.	40000 tin plates for tinmen	
2½ tons of cheese, Cheshire and Gloucester	5 tons of pewter, assorted	
25 barrels Irish tongues	5 puncheons of rum	
	5 C. of candles.	

The like licence for the ship Mentor, from London, her cargo consisting of Feb. 20, 1776. No. 9.

80 chal-

This was
 stopt upon
 the same
 application
 as made for
 the licence,
 No. 9.

80 chaldron of coals
 200 oxen
 300 sheep
 100 hogs
 150 pieces of cloth, assorted
 52 ditto Irish linen
 52 reams of paper
 50000 quills
 30 pounds wafers and 30lb. sealing
 wax
 Pens and haberdashery to the amount of
 750l.
 15 tons of nails or wrought iron
 5 ditto Spanish and Portugal wines,
 assorted
 300 dozen of ale and bottled beer
 Hosiery assorted to the value of 750l.
 Slops for sailors to the amount of 500l.
 2½ tons of cheese, Cheshire and
 Gloucester
 25 barrels Irish tongues
 1000 gallons fallad oil

25 barrels anchovies
 50 cwt. raisins
 50 ditto currants
 50 pounds flour of mustard
 25 barrels split peas
 250l. worth of hats, assorted
 250l. worth oil and painters colours
 250 pieces of check
 10000 butt soles or hides for shoes
 6000 gross of corks
 5 chests of green and bohea tea
 50 dozen poultry
 5 tons of soap
 Window glass to the value of 1200l.
 Twist, stay-tape, buttons, buckram and
 all materials for taylors use, to the
 value of 2000l.
 40000 tin plates for tinmen
 5 tons pewter, assorted
 5 puncheons of rum
 5 cwt. candles.

Feb. 20,
 1776.
 No. 10.

The like licence for the ship Sukey, from Malaga, her
 cargo consisting of

50 tons of wine
 500 pounds of raisins

500 chests of lemons and oranges
 50 dozen of fowls.

Feb. 21,
 1776.
 No. 11.

The like licence for the ship Jean and Sally, from Air and
 Cork, her cargo consisting of

22 casks containing 260 dozen of shoes
 20 ditto containing 61 dozen mutton
 hams
 10 bales containing 4800 yards plaid-
 ing
 730 boxes of candles
 4 tons of cheese
 140 casks wine containing 1400 dozen
 port
 30 barrels of beef
 30 ditto pork
 10 hogheads leaf tobacco
 4 tons pigtail
 25 bales Osnaburghs
 200 barrels flour
 720 dozen porter

100 dozen ale
 60 casks barley
 10 tons biscuit
 5 ditto potatoes
 40 ditto coals
 181 dozen thread stockings
 809 yards sheeting
 4 boxes containing paper, pins, nee-
 dles, thread and combs
 1 cask glass ware
 2 ditto pewter and tin ware
 2 ditto earthen ware
 1 ditto knives and forks
 5 pipes and 6 half pipes Madeira
 wine.

Feb. 21,
 1776.
 No. 12.

The like licence for the ship Friendship, from Air, her
 cargo consisting of

750 barrels of beef
 100 ditto pork
 200 ditto herrings
 200 firkins of butter
 500 boxes of candles

200 ditto soap
 10 tons biscuit
 5 ditto potatoes
 160 bushels of pease

Feb. 28,
 1776.
 No. 13.

The like licence for the ship Friendship, from Air, her
 cargo consisting of

65 tons

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65 tons of coals
519 barrels of herrings
120 ditto of flour
160 bushels of peas
50 bolls of potatoes
100 dozen of wine

260 tierces of beef
18 barrels of pork
2 tons of cheese
300 boxes candles
50 ditto soap

The like licence for the ship Jean, from Greenock and Cork, her cargo consisting of

Feb. 28,
1776.
No. 14.

950 barrels of beef 150 ditto pork 60 tons of coals

The like licence for the ship Juno, from Greenock, her cargo consisting of

Feb. 28,
1776.
No. 15.

50 tons Scots coals
20 ditto biscuit
50 barrels flour
100 bushels white peas
100 bushels potatoes
100 tierces and barrels of Irish salted beef
40 barrels pork
40 ditto butter
3 tons of cheese
24 casks of red herrings
50 puncheons of British plantation rum
800 dozen quart bottles of London porter
600 ditto Portugal wine
75 ditto French ditto
14 quarter casks Spanish ditto
5 tons refined sugar
3 ditto candles
2 ditto hard soap
10 hogsheds plantation leaf tobacco
3 ditto manufactured tobacco
500 pounds Scotch manufactured snuff in bottles
150 dozen pair of leather shoes

200 ditto white thread stockings
2 ditto silk stockings
20 dozen men's hats
6 ditto pair of leather gloves
12 ditto milled yarn mitts or gloves
500 pieces Irish white linen cloths
150 ditto brown linen cloths
100 pounds white thread
50 ditto brown thread
20 pieces Scotch cambrick
4 ditto superfine scarlet broad cloth and trimmings
120 dozen pair worsted and yarn stockings
2 pieces of superfine white cloth and trimmings
10 ditto striped Manchester stuff for vests
47 ditto Russia drab for breeches
100 dozen linen handkerchiefs
200 pieces coarse wollen cloth
20 ditto Scotch milled flannel
30 ditto shalloons and callimancoes
200 pair bed blankets
50 chests and boxes of lemons

It was thought fit to alter the aforementioned form of licence, and to make another more prohibitory, by expressing in the body, as was done in the note at the foot of the licence copied at the head of this account, that the ship having such licence, would be permitted to go to such town or place only as might be garrisoned or possessed by his Majesty's troops, and the licence last settled is in the words following, viz

*By the Commissioners for executing the office of
Lord High Admiral of Great-Britain and
Ireland, &c.*

In pursuance of an act passed in the present session of Parliament, entituled, "An act to prohibit all trade and intercourse with the several colonies therein mentioned." We do hereby, license, authorize, and permit, Mr. M'Lachlen,

len, master of the ship Pallas, of the burthen of one hundred and sixty tons, to proceed with the said ship and cargo, consisting of the particulars specified in the schedule annexed, from the port of London to the port of Boston, or any other town or place in North America, garrisoned or possessed by any of his Majesty's troops and not elsewhere, and there to unload and deliver the said cargo, and to return from thence with his said ship to Great-Britain or Ireland. This licence to subsist and be in force from the day of the date hereof, until her return as aforesaid.

Given under our Hands, and the Seal of the Office of Admiralty, the 6th day of March, 1776.

To all Flag Officers, Captains, Commanders, and other commissioned Officers of his Majesty's ships and vessels.

By command of their Lordships,

Note, If any goods, wares, or merchandize, other than stores and provisions for his Majesty's use, or provisions for the use of the inhabitants of any town or place, garrisoned or possessed by his Majesty's troops, shall be found on board any licensed ship, or if the cargoes shall not correspond with the particulars specified in the bodies of the respective licences, (the necessary stores for the ship's use and the baggage of the passengers only excepted) in either of those cases, the said goods, wares, &c. shall be forfeited, seized, and prosecuted as the said act directs.

No. 16. Schedule of the cargo to be shipped in the Pallas, from

This was London
stopped up- Hosiery
on the same Grocery and lemons
application Cheese
as was made Bacon
for the li- Hams
cence No. 8. Tongues
Linens
London porter
Shirts
Shifts
Shoes, wrought and tanned leather
Woollen cloths, stuffs and cottons
Wrought iron

Iron pots
Gold lace for the officers clothes
Silk handkerchiefs and cravats
Starch
Hair powder and pomatum
Drugs of several sorts
Wines and corks
Oils and pickles, soap and candles
Pins and needles
Stationary
Haberdashery
Hats

March 6, 1776. The like licence for the ship Adventure, from London, her cargo consisting of

No. 17.
2 gross of claret
10 hogsheads of red port
500 gallons of geneva
500 ditto French brandy

500 ditto usquebaugh
70 gross porter
20 gross Taunton ale, and 10 gross of Dorchester

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Dorchester beer packed in casks
of 6 dozen each
3 hogheads of vinegar
10½ chests of Florence oil
6 gross of mustard
2 dozen bottles each capers, olives
and anchovies
12 chests and 16 tubs of tea
100 pounds of nutmegs
10 pounds cloves, cinnamon and mace
each
7 tons of loaf sugar
1000 pounds fig blue
1000 pounds starch
10 casks almonds, raisins, prunes and
currants
6000 pounds of pepper
1400 pair of shoes
20 dozen pair of bend leather soles
and 20 hides of upper leathers
100 dozen thread and 52 dozen worsted
stockings
30 ditto worsted night-caps
1335 pieces coarse Irish linens
112 ditto Russia drabs
6 ditto towelling
6 dozen table-cloths
30000 ells Osnaburghs
52000 needles
30 gross shirt buttons
100 dozen pins
355 pounds of thread
120 gross button moulds
42 ditto linen and woollen tapes
60 pieces silk, 20 pieces cotton, and
15 dozen linen handkerchiefs
200 dozen shoe buckles
100 ditto knives
20 ditto scissars
300 ditto combs
25000 fishing hooks
6 gross razors
40 dozen knives and forks
1 gross stock buckles
200 lb. chocolate
20 lb. fallop

50 lb. sago
200 lb. cocoa
600 lb. jesuits bark
10 lb. tartar emetic
40 lb. rhubarb
6 gross Stoughton's bitters
80 boxes and kegs soap and candles
200 lb. candlewick
11 dozen lanthorns and candlesticks
6 ditto tin pans
18 ditto tin jacks
18 ditto lamps, camp kettles and tin
plates
14 dozen tea kettles, candle-moulds
and tea pots
3 tons cheese
40 dozen tongues
150 pieces checks
120 dozen hats
116 casks nails
30 faggots of steel
34 dozen frying pans, sad irons, spades,
broad axes and hammers
2 dozen cross cutting and 4 dozen
hand saws
5 hhds. tobacco
14 gross snuff
26 kegs and boxes pipes
120 pieces sail cloth
2300 lb. sail and seine twine
24 dozen lines
14 coils rope
4 casks rosin
220 reams paper
6 gross ink powder
10000 quills
20 lb. sealing wax
12 lb. wafers
150 dozen playing cards
18 dozen small blank books
60 kegs barley and oatmeal
12 dozen pair shoe buckles
18 dozen black balls
12 dozen ready made shirts
26 dozen slops, coats and waistcoats
100 pieces callicoe and printed cottons

This was
stopped up-
on the same
application
as was made
for the li-
cense No. 8.

The like licence for the ship Lord Rochford, from London, March 6,
her cargo consisting of

80 chaldron coals
200 oxen
300 sheep
100 hogs
150 pieces of cloth assorted
250 pieces Irish linen
250 reams paper
500 hundred quills
30 lb. wafers and 30 lb. sealing wax

Pins and haberdashery to the value of
750l.

15 tons nails or wrought iron
5 tons Spanish and Portugal wines
300 dozen ale and bottled beer
Hosiery assorted to the value of 750l.
Slops for sailors to ditto 500l.
2½ tons cheese
25 barrels anchovies

This was
stopped up-
on the same
application
as was made
for the li-
cense No. 8.

50 lb.

50 lb. raisins
50 lb. currants
50 lb. flour of mustard
25 bushels split peas
250l. worth of hats assorted
250l. ditto oils and painters colours
250 pieces of check
1000 butt soles or hides for shoes
6000 gross of corks
5 tons tobacco
5 tons loaf sugar

20000 oranges and lemons
10000 pair shoes assorted
5 tons soap
Window glass to the value of 1200l.
Twist, stay tape, buttons, buckram and
all materials for taylors use
40000 tin plates for tinmen
5 tons pewter assorted
5 cwt. candles
5 puncheons rum

6th March, 1776. The like licence for the ship Jamefon and Peggy, from London, her cargo consisting of

No. 19. Linens for shirts, &c, &c. value about £. 2000
Russia drilling and raven ducks for breeches 800
Woollen and thread hose 5000 pair 800
Shoes and leather 5000 ditto 1200
Wines and rum 2000
Grocery's, tea, &c. 1000
Coarse and fine woollen blankets 3000
Hats 200
Porter 100
Cheese 300

Beef ——— £. 100
Sail cloth for tents, beds, &c. 200
Nails and hardware ——— 200
Tin wares and plates ——— 200
Candles ——— 150
Tobacco ——— 200
Stationary ——— 200
Butter, peas, ham, tripe, &c. 150
Haberdashery and fundry small wares ——— 300
Loaf sugar ——— 500

7th March, 1776. The like licence for the ship Resolution, from London, her cargo consisting of

No. 20. 50 oxen 50 sheep
50 hogs
50 tons of iron and steel
100 ditto of sheet lead, shot assorted, and folder
30 ditto hard soap and washballs
Sundry cloths, other woollens, fustians, and other goods to the value of 3000l.
10 tons wrought pewter
Tin plates and tin ware to the value of 1200l.
Linens, checks, Russia sheeting, Irish linens, diaper and other table-linen, printed linens, cottons and muslins, to the amount of 6000l.
Paper, quills, and other stationary, to the amount of 1500l.
Pins, needles, and other haberdashery, to the value of 3000l.
30 tons of nails, carpenters tools, and other wrought iron
10 tons Spanish, Portugal, Teneriffe, and Madeira wines
5 ditto French wine
1000 dozen bottled ale, beer, and porter
Hosiery assorted, to the value of 2000l.
Slops and other ready made goods, from a sloopman, to the amount of 1200l.
10 tons of cheese
50 barrels Irish tongues
1000 gallons fallad oil

200 barrels anchovies
100 cwt. raisins
100 ditto currants
20 tons loaf and refined sugar
100 bushels split peas
Felt, coarse and other hats, assorted, to the amount of 1000l.
Mustard, pickles, and sundry other articles, from the oilman, to the value of 1200l.
Oil and painters colours, from the colourman, to the amount of 1200l.
500 pieces of check
10000 butt soles or hides for shoes
Upper leathers for shoes, to the value of 1200l.
6000 gross of corks
Window glass assorted, to the value of 2000l.
Twist, stay-tape, buttons, buckram, and all materials for taylors use, to the amount of 1200l.
Decanters and drinking-glasses, and other glass, to the amount of 1200l.
5 tons soap and wash-balls
40000 tin plates for tinmen, and 5 tons folder
5 tons pewter assorted
5 puncheons rum
5 cwt. of candles

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The like licence for the ship Friendship, from Air and March 12, 1776. No. 21.

Cork, her cargo consisting of

519 barrels of herrings	50 boxes soap
160 bushels of peas	278 tierces of beef
10 chaldron of coals	14 barrels of pork
140 barrels of flour	20 casks of barley
13 casks, containing 179 doz. of sherry	2 tons meal
300 boxes of candles	14 baskets or hampers of cheese.

The like for the ship Jean, from Greenock and Cork, her March 12, 1776. No. 22.

cargo consisting of

5 bales miln'd plaiding	60 hhds. coals	8 casks bacon hams
49 casks of flour	500 ditto beef	300 boxes of candles
52 ditto barley	150 barrels of pork	100 ditto soap
18 hhds. bread	300 firkins of butter	

The like licence for the ship Princess Royal, from London, 3d April, 1776. No. 23.

her cargo consisting of

80 chaldron of coals	Mustard, vinegar, pickles, and sundry
300 sheep	articles from the oilman, to the value
200 oxen	of 200l.
100 hogs	2½ tons of cheese assorted
50 dozen of fowls	Bark, rhubarb, camphire and other
5 tons Spanish and Portugal wines	drugs, to the amount of 400l.
assorted	5 tons tobacco
5 ditto French	Portable soup to the value of 200l.
Ale and beer in casks and bottles, to the	1000 gallons fallad oil
amount of 500l.	25 barrels anchovies
Grocery, such as raisins, almonds, cur-	20000 oranges and lemons
rants, loaf sugar, tea, dates, prunes,	Sundry hams, tongues, cheeks, smoked
figs, pearl barley, sago and sago pow-	beef, and other dried provisions, to
der, salop, pepper and all other kind	the value of 400l.
of spices, and vermicelli, to the	As many roots, greens, and other her-
amount of 2000l.	bage, as the ship can stow
50 barrels Irish tongues	

The like licence for the ship Lord Rochford, from Lon- 3d April, 1776. No. 24.

don, her cargo consisting of

80 chaldron of coals	other articles, from the oilman, to
200 oxen	the value of 200l.
300 sheep	2½ tons of cheese, assorted
100 hogs	50 barrels Irish tongues
50 dozen fowls	Bark, rhubarb, camphire, and other
5 tons Spanish and Portugal wine as-	drugs, to the amount of 400l.
sorted	5 tons of tobacco
5 ditto French	Portable soup to the value of 200l.
Ale and beer in casks and bottles, to the	1000 gallons fallad oil
amount of 500l.	25 barrels anchovies
Grocery, such as raisins, almonds, cur-	20000 oranges and lemons
rants, loaf sugar, tea, dates, prunes,	Sundry hams, tongues, cheeks, smoked
figs, pearl barley, sago and sago pow-	beef, and other dried provisions, to
der, salop, pepper, and all other kinds	the value of 400l.
of spices, and vermicelli, to the	As many roots, greens, and other herb-
amount of 2000l.	age, as the ship can stow.
Mustard, vinegar, pickles, and sundry	

This licence was granted in lieu of the licence marked No. 18.

The like licence for the ship Le Soye, Planter, from Lon- April 3, 1776.

don, her cargo consisting of

80 chaldron No. 25.

This was granted in lieu of the licence marked No. 8.

80 chaldron of coals
200 oxen
300 sheep
100 hogs
50 dozen fowls
50 tons Spanish and Portuguese wine, assorted
5 ditto French
Ale and beer in casks and bottles, to the amount of 500l.
Raisins, almonds, currants, tea, loaf-sugar, dates, prunes, figs, pearl barley, sago and sago powder, salop, pepper, and all other kinds of spices and vermicelli, to the amount of 2000l.
Mustard, vinegar, pickles, and sundry

April 3,
1776.
No. 26.

The like licence for the ship Resolution, from London, her cargo consisting of

This was granted in lieu of the licence marked No. 20.

50 oxen 50 sheep
50 hogs
50 dozen fowls
10 tons Spanish and Portugal wine assorted
5 ditto French
Ale and beer in casks and bottles to the value of 500l.
Raisins, almonds, currants, loaf sugar, tea, dates, prunes, figs, pearl barley, sago and sago powder, salop, pepper, and all other spices, and vermicelli, to the value of 2000l.
Mustard, vinegar, pickles, and other eatable articles from the oilman, to

April 3,
1776.
No. 27.

The like licence for the ship Mentor, from London, her cargo consisting of

This was granted in lieu of the licence marked No. 9.

80 chaldron coals
200 oxen
300 sheep
100 hogs
50 dozen fowls
5 tons Spanish and Portugal wine assorted
5 ditto French
Ale and beer in casks and bottles, to the amount of 500l.
Raisins, almonds, currants, loaf-sugar, tea, dates, prunes, figs, pear barley, sago and sago powder, salop, pepper, and all other kind of spices, and vermicelli, to the amount of 2000l.
Mustard, vinegar, pickles, and sundry

April 3,
1776.
No. 28.

The like licence for the ship Brunswick, from Greenock, her cargo consisting of

150 firkins butter
30 hhds. potatoes
30 barrels herrings

other eatable articles, from the oilman, to the value of 200l.
2½ tons cheese, assorted
50 barrels Irish tongues
Bark, rhubarb, camphire, and other drugs, to the value of 400l.
5 tons tobacco
Portable soup, to the value of 200l.
1000 gallons salad oil
25 barrels of anchovies
20000 oranges and lemons
Sundry hams, tongues, cheeks, smoaked beef, and other dried provisions, to the value of 400l.
As many roots, greens, and other herbage, as the ship can stow.

the value of 300l.
2½ tons of cheese assorted
50 barrels Irish tongues
Bark, rhubarb, camphire, and other drugs, to the amount of 800l.
5 tons tobacco
Portable soup, to the value of 300l.
1000 gallons salad oil
200 barrels anchovies
20000 oranges and lemons
Sundry hams, tongues, cheeks, smoaked beef, and other dried provisions, to the value of 500l.
As many greens, roots, and other herbage, as the ship can stow.

other eatable articles from the oilman, to the value of 200l.
2½ tons of cheese assorted
50 barrels Irish tongues
Bark, rhubarb, camphire, and other drugs, to the amount of 400l.
5 tons of tobacco
Portable soup, to the value of 200l.
1000 gallons salad oil
25 barrels of anchovies
20000 oranges and lemons
Sundry hams, tongues, cheeks, smoaked beef, and other dried provisions, to the value of 4000l.
As many roots, greens, and other herbage as the ship can stow.

20 puncheons rum
15 cwt. tobacco manufactured
20 quarter casks wine
10 pipes

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10 pipes ditto
20 boxes lemons
50 hhds. oats
100 chaldron coals
6 dozen bacon hams
6 casks tongues
3 tons cheese
40 cwt. barley
40 barrels oatmeal

60 barrels beef
4 hhds. leaf tobacco
150 dozen bottled wine
6 casks rice
30 cwt. refined sugar
20 bags white peas
30 firkins split peas
60 dozen bottles mustard
10 casks raisins

The like licence for the ship True Briton, from London, April 5, 1776.

her cargo consisting of
200 barrels flour
8 puncheons rum
15 tons butter
15 tons cheese
25 barrels pickled provisions
50 casks ditto
From Guernsey 15 tons wine
Ditto 100 casks ditto

Ditto 100 casks potted meats and 100
pickles and sweetmeats
Ditto 30 casks prunes for the use of the
hospital
From Madeira and the western islands
100 tons wine
From ditto 10 tons fruit
From ditto 600l. worth of live stock

The like licence for the ship Adventure, from London, April 6, 1776.

her cargo consisting of
40 chests and tubs of tea
10 cwt. spices
20 cwt. almonds, raisins and prunes
4 tons pepper
50 hhds. sugar
10 tons cheese
4 casks tongues
15 ditto and casks of mustard and
20 chests oil [pickles
10 casks vinegar
20 tons wine
2 tons medicines, jesuits bark, rau-

barb, bitters, &c.
70 kegs barley and oatmeal
6 hhds. tobacco
200 casks porter and ale
10 casks snuff
10 kegs tripe
2 cwt. sausages
50 barrels beef and pork
20 ditto bread
50 ditto flour
50 chests lemons and oranges
40 casks butter

This was
granted in
lieu of the
licence
marked
No. 17.

The like licence for the ship Minerva, from London, her April 9, 1776.

400 barrels flour	100 firkins butter	1 bag pepper	15 boxes mustard
3 tons bread	4 tons cheese	1 trunk spices	100 ditto lemons
60 barrels beef	5 hhds. sugar	20 casks wine	5 cwt. of soap
40 ditto pork	30 bolls raisins	200 dozen porter	10 cwt. moist su-
30 ditto mutton	20 casks currants	10 half chests oil	50 casks peas [gar
10 casks hams	5 cwt. figs	4 hhds. vinegar	20 sacks oats
30 ditto tongues	10 casks prunes	40 casks pickles	15 casks barley
20 sides bacon	10 ditto rice	10 casks cyder	100 sacks potatoes
	60 chaldron coals for ballast		

By the Commissioners for executing the Office of Lord
L. S. High Admiral of Great-Britain and Ireland, &c.

Whereas the ship Jameson and Peggy has been taken up
in pursuance of his Majesty's pleasure, signified to us by Lord
George Germain in his letter of the 7th of February last,
and is actually retained and employed in his Majesty's ser-
vice to carry stores and provisions for the use of his Majesty's
troops in America, and also in carrying recruits: We do,

in pursuance of the powers granted to us by an act of Parliament, passed in the present session, intituled, "An act to prohibit all trade and intercourse with the several colonies therein mentioned," hereby authorize, license, and permit the aforesaid ship, of the burthen of ---- tons, whereof James Patterson is master, to proceed with her, having on board a cargo consisting of the particulars specified on the other side, from the port of London to the port of Boston, or any other town or place in North America, garrisoned or possessed by any of his Majesty's troops, and not elsewhere, there to unload and deliver the said cargo, and to return from thence with his said ship to Great-Britain or Ireland. This licence to subsist and be in force from the day of the date hereof until her return as aforesaid.

Given under our Hands, and the Seal of the Office of Admiralty, the 10th day of April, 1776.

To all Flag Officers, Captains, Commanders, and other commissioned Officers of his Majesty's ships and vessels.

Note, If any goods, wares or merchandize, other than the stores and provisions for his Majesty's troops mentioned in the specification of the above ship's cargo shall be found on her, or if the cargo shall not correspond with the several articles of the said specification (the necessary stores for the ships use and the baggage of the passengers only excepted) in either of those cases, the said goods, wares, &c. shall be forfeited, seized and prosecuted, as the said act directs.

Schedule of the cargo to be shipped in the Jameson and Peggy, from London.

No. 32.

This was granted in lieu of the licence marked. No. 19.

Linens for shirts, &c. &c.	£.	2000	Candles	—	£.	150
Russia drilling and ravenducks for breeches	—	800	Tobacco	—	—	200
5000 woollen and thread hose	—	800	Stationary	—	—	200
5000 shoes and leather	—	1200	Butter, pease, ham, tripe, &c.	—	—	250
Wines and rum	—	2000	Haberdashery and sundry small wares	—	—	300
Groceries, teas, &c.	—	1000	Loaf Sugar	—	—	500
Coarse and fine woollen blankets	—	3000	Linens	—	—	3500
Hats	—	200	Russia drilling, ravenducks and foreign linen	—	—	2000
Porter	—	100	English and Russia sail cloth for tents	—	—	500
Cheese	—	300	Loaf sugar	—	—	1500
Beef	—	100	Teas	—	—	4000
Sail cloth for tents, beds, &c.	—	200	Calicoes and mercery	—	—	1500
Nails and hardware	—	200				
Tin ware and plates	—	200				

By

L. S.

*By the Commissioners for executing the Office of
Lord High Admiral of Great-Britain and
Ireland, &c.*

The Lords Commissioners of his Majesty's Treasury hav-^{No. 33.}
ing represented to us, that, Mr. James Bogle French, mer-
chant, has chartered the ship Barbadoes Planter, Isaac Black-
burne, master, for the purpose of carrying from Grenada to
America a quantity of rum, which he has contracted to sup-
ply for the use of the army in America; and their Lordships
having desired that the said ship may have a licence to pro-
ceed and carry the said rum to America; We do, in pursu-
ance of an act passed in the present session of Parliament,
intituled, "An act to prohibit all trade and intercourse
with the several colonies therein mentioned, hereby license,
authorize and permit Isaac Blackburne, master of the said
ship Barbadoes Planter, of the burthen of ---- tons, to pro-
ceed with her and the said cargo of rum, from the islands of
Grenada, St. Vincent, Dominica or Tobago, to the port of
Boston or any other town or place in North America, garrison-
ed or possessed by any of his Majesty's troops, and not else-
where, there to unload and deliver the said cargo, and return
from thence with his said ship to Great-Britain or Ireland."
This licence to subsist and be in force from the day of the
date hereof until her return as aforesaid.

Given under our Hands, and the Seal of the
Office of Admiralty, the 10th day of April,
1776.

*To all Flag Officers, Captains, Commanders, and
other commissioned Officers of his Majesty's
ships and vessels.*

By command of their Lordships.

Note, If any goods, wares or merchandizes, other than
provisions for his Majesty's use, provisions for the use of the
inhabitants of any town or place garrisoned or possessed by
his Majesty's troops, shall be found on board any licensed
ship, or if the cargoes shall not correspond with the particu-
lars specified in the bodies of the respective licences, (the ne-
cessary stores for the ship's use and the baggage of the passen-
gers, only excepted) in either of those cases the said goods,
wares, &c. shall be forfeited, seized and prosecuted, as the
said act directs.

April 12,

1776.

No. 34, 35.

The like licences for the ships Nancy and Betsey, and for the Elizabeth, chartered in pursuance of a contract made by the Lords of the Treasury with Sir James Cockburne, bart. to carry rum from the islands of Grenada for the supply of the navy and army in North America.

Copies of all Licences granted for Transports, Victuallers, and Ordnance Storeships.

L. S.

*By the Commissioners for executing the Office of
Lord High Admiral of Great-Britain and
Ireland, &c.*

In pursuance of an act passed in the present sessions of Parliament, intituled, "An act to prohibit all trade and intercourse with the several colonies in North America therein mentioned," We do, hereby license, authorize and permit
master of the ship of the
burthen of tons, being employed
in his Majesty's service, to proceed in his said ship to some port or ports in North America, and to return from thence with his said ship to Great-Britain or Ireland. This licence to subsist and be in force from the day of the date hereof, until her return to Great-Britain or Ireland.

Given under our Hands, and the Seal of the
Office of Admiralty, the day of
1776.

*To all Flag Officers, Captains, Commanders, and
other commissioned Officers of his Majesty's
ships and vessels.*

By command of their Lordships,

Note, If any goods, wares or merchandize, other than stores and provisions for his Majesty's use, shall be found on board the ship for which this licence is granted (the necessary stores for the ship's use and the baggage of the passengers, only excepted) such goods, wares, &c. shall be forfeited, seized and prosecuted as the said act directs.

Licences

Licences which have been granted according to the foregoing form are for the *

	Tons.		Tons.	
Minerva, v.	370			Jan. 28, 1776.
Howe, v.	412	Countess of Darling-		Feb. 7, 1776.
Mars, v.	256	ton	265	
Waters, v.	241	Betsey	252	
Belle, v.	232	Francis	261	
Sally, v.	100	Union	237	
Thomas and Richard	387	Grand Duchess of		
Ocean	244	Russia	308	
Sea Venture	299	James and William	393	
Empress of Russia	683	Two Brothers	336	
Hunter	311	John and Jane	377	
Lively	245	Love and Unity	412	
Symetry	336	John and Rebecca	276	
Father's Goodwill	333	Amity's Providence	327	
		Henry	332	
Edward	268	Savile	353	Feb. 23, 1776.
Charming Polly	271	Isabella and Dorothy	244	
Glenn	305	William and Mary	393	
Satisfaction	353	Argo	332	
Prosperous Armilla	382	Spy	223	
Isabella	362	Grosvenor	713	
Amity's Admonition	410	Whitby	370	
Diana	242	Venus	327	
Three Sisters	283	America	305	
Rochford	297	John and Christopher	293	
Palliser	351	Betsey	266	
Eagle	344	Grand Duke of Rus-		
Brilliant	225	fia	672	
Favourite	280	Enterprize	425	
Dorothy and Cathe-		Ocean	299	
rina	327	Mercury	294	
Ranger	361	Peace and Plenty	320	
Resolution	358	Juliana	335	
Venus	309	Harcourt	706	
William	238	Argo	289	
Henry and Esther	306	Chatham	139	
Resolution	309	Savile	351	
Good Intent	353	Union	343	
Success	223	Nancy	151	
Hope	213	Myrtle	322	
Hartfield	404	Blessing	229	
Royal George	344	Admiral Shuldham	361	
Three Sisters	212	King George	273	

* Note. Those marked v. are victuallers; o. ordnance; and the rest transport vessels.

Feb. 23,
1776.

	Tons.		Tons.
Rachael and Mary	320	Prince of Wales	447
Jenny	256	Harmony	449
Nancy	388	Content	335
Golden Rule	214	Martha	326
Lord North	303	Three Sisters	469
Aurora	369	Peggy	360
Good Intent	315	Stagg	317
Neva	215	Margaret and Mar-	
Earl of Orford	231	tha	353
Robert and Eliza-		Bute	683
beth	234	Lord Howe	720
Emanuel	154	Dorothy	237
Anna Isabella	287	Speke	743
Content	282	Benjamin and Ann	402
Pigot, hospital ship	717	Providence, (1st)	310
Friendship, armed		Charming Sally	290
transport	849	Cæsar	223
Charming Nancy	443	Favourite	221
Charming Sally	267	Champion	233
Briton	258	Lucretia	335
Munificence	273	Amity's Succession	235
Amity's Desire	313	John and Bella	194
Archer	286	Sarah	243
Adamant	249	Antelope	207
Lively	357	Diana	298
Myrtle	309	Charming Nelly	256
Favourite	219	Kitty	171
Kent	709	Unanimity	176
Fidelity	261	London	276
John	200	Tweed	162
King George	337	Gale	221
Friendship	255	Rouffeau	275
Garland	270	Roman Emperor	181
Henry	250	Mary	292
Success Increase	321	Thornton	281
Britannia	298	Kent's Regard	182
Beverley	218	Anne	259
Grace	294	Malaga	205
Alicia	320	Thomas and Betsey	218
Jane	221	Mermaid	292
Henry	260	Harrietta	221
Britannia	371	Fame	333
Minerva	311	Polly	240
Lawrie	283	Happy Janet	275
New Blessing	256	Lord Sandwich	368
Pallas	344	Minerva	261
Lord Sandwich	317	Mellish	313
Apollo	361	Three Johns	240
Providence, (2d)	366	Lily	203
James and John	355	Mermaid	161
Elizabeth	320	Polly	212
Nancy	304	Rainbow	179
Polly	309	Hunter	171
Union	261	Monimia	207
Royal Briton	303		

Lily

	Tons.		Tons.
Lily, (2d)	193	Thames	306
Margaret	215	Royal Exchange	273
Glasgow	257	Minerva	219
Houston	258	Glencairn	193
Boyd	250	Oxford	219
Brilliant	272	Ocean	304
Prince George	197	William	223
Sisters	175	Ann	223
Elizabeth	218	Walter	265
Thomas	209	Katty	278
Peggy	234	Neptune	179
Bristol	219	St. Helena	270
Swan	297	Bowman	208
Sufannah	254	Clementina	265
Queen	298	Neptune	215
Berry	316	Calidonia	224
Friendship	275	Venus	256
Sisters	353	George	239
Kennington	223	Britannia	179
Royal George	398	Liberty	203
Albion	325	Woodcock	254
Gleadina	188	Christie	277
Empress	250	Friendship	201
Henley	150	Princess Royal	152
Trial	230	Ostenbottom	376
Hope	286	Speedwell	198
Spring	378	Success, v.	200
Eagle	324	Success Increase, v.	220
Jameson and Peggy	183	Providence, v.	380
Elizabeth	297	Integrity, v.	320
Esk	304	Nancy, v.	340
Eleonora	286	Aldborough, v.	250
Greyhound	245	Stanley, v.	250
Judith	377	Britannia, v.	230
Experiment	162	Medway, v.	230
Jenny	298	George	244
Speedwell	281	Peggy	209
Union	302	Friendship	217
Charming Sally	311	May Flower	197
St. George	385	Annabella	203
Bird	277	Friends	162
Mary	186	Badger	179
Hannah	348	Shipwright, v.	300
Triton	280	Minerva	133
Æolus	413	Jeanie	227
Union	172	Hartley	205
Union Success	255	Molly	212
Queenborough	104	Thomas	190
Kitty	214	Henry and Joseph	148
Selina	350	Favourite	186
Rose	141	Mermaid	247
George and Molly	129	Mary and Ann	191

March 12,
1776.

March 14,
1776.

March 22,
1776.

Integrity

	Tons.		Tons.
April 1, 1776.	Integrity - 279	Tartar, v. - 160	
	Nancy - 343	Olive Branch, v. - 180	
	Boreas - 235	Lion, v. - 180	
	Johnson - 306	Duke of Leinster, v. - 350	
	Fanny - 243	Lonsdale, v. - 244	
	Bristol Packet - 206	Lord Lewisham, v. - 201	
	Juno - 234	Hopewell, o. - 352	
	Meltham - 191	The Woodlands, o. - 220	
	Neptune - 208	Prince of Wales, o. - 200	
	Clibborn - 300	Devonshire, o. - 200	
	St. George, v. - 375	Hellen, o. - 200	
	Lucy, v. - 157	Friendship, o. - 200	
	Polly, v. - 180	Prince George, o. - 200	
	Jolliff, v. - 200	Charming Nancy, o. - 300	
	Prince of Wales, v. - 180	Fleetwood, o. - 230	
	Fanny, v. - 259		
April 9, 1776.	Jane - 148	Globe - 160	
	Favourite - 184	Crawfurd - 222	
	Columbus - 279		
April 10, 1776.	James - 164	Betty - 164	
	Esther - 214	Nassau - 260	
	Surprize - 265	Duke William - 424	
	Lively - 230	Good Intent - 241	
	British Queen - 248	Lord Howe - 239	
	Matty - 155		
April 20, 1776.	Mediator - 181	Three Sisters - 279	
	Milford - 217		

The following papers were also presented to the House, pursuant to address:

Copy of Sir James Cockburn's contract for rum.

ARTICLES of agreement indented, made, and concluded this 2d of May, 1776, in the 16th year of the reign of our Sovereign Lord George the Third, by the grace of God King of Great Britain, France, and Ireland, Defender of the Faith, and so forth, by and between the Right Honourable the Lords Commissioners of his Majesty's Treasury on the part and behalf of his Majesty of the one part, and Sir James Cockburn, Bart. of the other part.

Whereas it is thought necessary that a contract should be entered into with some fit and responsible person for furnishing a quantity of rum, for the use of his Majesty's troops on

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on service in America; such rum to be delivered at such places, and to such persons in America, as the said Lords Commissioners shall appoint. And whereas Sir James Cockburn, Bart. has proposed to furnish and deliver to the army in America 100,000 gallons of rum, the produce of the islands of Grenada, St. Vincent, Dominica, and Tobago, at the rate of four shillings, sterling, per gallon, for all rum the produce of, and exported from, the island of Grenada, and at the rate of three shillings and sixpence per gallon for all rum, the produce of, and exported from, the islands of St. Vincent, Dominica, and Tobago, under proper and due certificates from the officers of his Majesty's customs of the several islands respectively, and to be taken and furnished from the said respective islands in proportion to the produce of such island; which said proposal the Lords Commissioners of his Majesty's Treasury have, on the part and behalf of his Majesty, thought fit to accept. Now this indenture witnesseth, that the said Sir James Cockburn doth for himself, his executors, and administrators and assigns, agree with the said Lords Commissioners, that he the said Sir James Cockburn, pursuant to the said recited proposal, and according to the terms and restrictions abovementioned, shall and will deliver, clear of all charges and expences, at such places, and to such persons in America, as the said Lords Commissioners of his Majesty's Treasury shall please to appoint to receive the same, for the service of the said troops there, 100,000 gallons of rum, of the usual and proper proof and strength of each of the said islands respectively, from which the same shall be shipped, according to an instrument sent to the commander in chief for ascertaining the proof and strength thereof, a duplicate of which instrument the said Sir James Cockburn doth hereby acknowledge to have received for his use. And the said Lords Commissioners, on the part and behalf of his Majesty, do covenant, promise, and agree, that upon the said Sir James Cockburn, his executors, administrators, and assigns, producing a certificate, or certificates, signed by the officer commanding his Majesty's troops at the port of importation, or commissary of stores, or deputy or assistant commissary of stores there, or by such other person or persons as shall be authorized to receive the said rum, and to sign such certificate, or certificates; which certificate, or certificates, are to specify the quantity of rum delivered,

the island and place from whence exported, and to have annexed thereto the certificate or clearance of the officers of the customs of the respective islands from whence such rum shall be exported, or an attested copy thereof; and shall also specify, that the same was of the usual and proper proof and strength of each of the said islands, respectively, from whence the same was exported, according to the said instrument; they the said Commissioners of his Majesty's Treasury shall and will direct, and cause to be paid unto the said Sir James Cockburn, his executors, administrators, and assigns, all such sums of money as shall appear to be justly and truly due to the said Sir James Cockburn, according to the prices, and to the rates aforesaid, agreeably to the said recited proposal, for the several quantities of rum so delivered and certified for as aforesaid.

And the said Lords Commissioners do likewise covenant and agree, that they will bear harmless, and indemnify the said Sir James Cockburn, his executors, administrators, and assigns, from the payment of any custom-house duties for or upon any of the said quantities of rum to be delivered pursuant to this contract.

Lastly, it is covenanted and agreed between the parties to these presents, that the said Lords Commissioners of his Majesty's Treasury, or any of them, shall not be liable in their persons or estates to any action whatever, by reason or means of their being, on his Majesty's behalf, made parties to this contract: In witness whereof, the said Lords Commissioners of his Majesty's Treasury, and the said Sir James Cockburn, have hereunto interchangeably put their hands and seals, the day and year above written.

NORTH. C. TOWNSHEND. E. W. CORNWALL.

Copy of Mr. Bogle French's contract for rum.

ARTICLES of agreement, indented, made, and concluded this 2d day of May, 1776, in the 16th year of the reign of our Sovereign Lord George the Third, by the grace of God King of Great-Britain, France, and Ireland, Defender of the Faith, and so forth, by and between the Right Honourable the Lords Commissioners of his Majesty's Treasury, on the part and behalf of his Majesty of the one part, and James Bogle French, Esq. of the other part.

Whereas,

Whereas it is thought necessary that a contract should be entered into with some fit and responsible person for furnishing a quantity of rum for the use of his Majesty's troops on service in America, such rum to be delivered at such places, and to such persons in America, as the said Lords Commissioners shall appoint. And whereas James Bogle French has proposed to furnish and deliver to the army in America 100,000 gallons of rum, the produce of the islands of Grenada, St. Vincent, Dominica, and Tobago, at the rate of four shillings sterling, per gallon, for all rum, the produce of, and exported from, the island of Grenada; and at the rate of three shillings and sixpence sterling, per gallon, for all rum, the produce of, and exported from, the islands of St. Vincent, Dominica, and Tobago, under proper and due certificates from the officers of his Majesty's customs of the said several islands respectively, and to be taken and furnished from the said respective islands in proportion to the produce of such island; which said proposal the Lords Commissioners of his Majesty's Treasury have, on the part and behalf of his Majesty, thought fit to accept. Now this indenture witnesseth, that the said James Bogle French doth, for himself, his executors, administrators, and assigns, agree with the said Lords Commissioners, that he the said James Bogle French, pursuant to the said recited proposal, and according to the terms and restrictions abovementioned, shall and will deliver, clear of all charges and expences, at such places, and to such persons in America, as the said Lords Commissioners of his Majesty's Treasury shall please to appoint to receive the same, for the service of the said troops there, 100,000 gallons of rum, of the usual and proper proof and strength, of each of the said islands, respectively, from which the same shall be shipped, according to an instrument sent to the commander in chief for ascertaining the proof and strength thereof, a duplicate of which instrument the said James Bogle French doth hereby acknowledge to have received for his use. And the said Lords Commissioners, on the part and behalf of his Majesty, do covenant, promise, and agree, that upon the said James Bogle French, his executors, administrators, or assigns, producing a certificate, or certificates, signed by the officer commanding his Majesty's troops at the port of importation, or commissary of stores, or deputy or assistant commissary of stores there, or by such other person or persons as shall be authorized to receive

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receive the said rum, and to sign such certificate, or certificates, which certificate, or certificates, are to specify the quantity of rum delivered, the island and place from whence exported, and to have annexed thereto the certificate or clearance of the officers of the customs of the respective islands from whence such rum shall be exported, or an attested copy thereof; and shall also specify, that the same was of the usual and proper proof and strength of each of the said islands, respectively, from whence the same was exported, according to the said instrument, they the said Commissioners of his Majesty's Treasury shall and will direct, and cause to be paid unto the said James Bogle French, his executors, administrators, or assigns, all such sums of money as shall appear to be justly and truly due to the said James Bogle French, according to the prices and to the rates aforesaid, agreeably to the said recited proposal for the several quantities of rum so delivered and certified for as aforesaid. And the said Lords Commissioners do likewise covenant and agree, that they will bear harmless and indemnify the said James Bogle French, his executors, administrators, and assigns, from the payment of any custom-house duties for, or upon account of the said quantities of rum to be delivered pursuant to this contract.

Lastly, it is covenanted and agreed between the parties to these presents, that the said Lords Commissioners of his Majesty's Treasury, or any of them, shall not be liable in their persons or estates to any action whatever, by reason or means of their being, on his Majesty's behalf, made parties to this contract: In witness whereof the said Lords Commissioners of his Majesty's Treasury, and the said James Bogle French, have hereunto interchangeably put their hands and seals, the day and year first above written.

NORTH. C. TOWNSHEND. E. W. CORNWALL.

Copy of a Memorial from Mr. James Anderson to Lord George Germain. 2d April, 1776.

To the Right Honourable Lord George Germain, one of his Majesty's Principal Secretaries of State, &c. &c.

THE memorial of James Anderson, humbly sheweth,
That your Lordship's memorialist, in December last, was sent home by General Howe, to carry out stores and necessities for the garrison at Boston.

That

That in consequence of the general representation to the War-Office, a vessel was provided for that purpose, with a licence from the Lords of the Admiralty.

That the stores are all bought up, and great part of them put on board the ship Peggy and Jameson; but the licences being recalled by the Treasury Board, has for some time prevented his proceeding.

That your Lordship's memorialist begs leave to represent his case as different from those who had the common trading licences; and to obviate any objection that may have arisen, your Lordship's memorialist hereby obligates himself to become bound in any sum to consign the whole of the stores to the direction of General Howe, or the commander in chief, on the ship's arrival at Boston.

Your Lordship's memorialist humbly prays that his licence may be returned, so as he may proceed with dispatch, as the season is far advanced, and the troops in want of the necessaries.

JAMES ANDERSON.

Copy of a Letter from Lieutenant General Harvey to Mr. Pownall, dated Cleveland-Court, 3d April, 1776.

Dear SIR,

AS I find there are some difficulties as to Mr. Anderson's receiving a licence for sailing with the several particulars which he has provided for the army under the command of General Howe, I take the liberty of troubling you with a line to acquaint you, that the General mentioned to me in one of his letters, that he had employed Mr. Anderson on this service, and wished that I could assist him in what he had undertaken.

I take the liberty of mentioning this, as many inconveniencies must happen if the General's intentions are prevented, by Mr. Anderson's not having the proper powers to sail.

I am, dear sir,

Your faithful and obedient servant,

John Pownall, Esq;

EDW. HARVEY.

March 8.

Mr. John Pownall (Secretary) presented to the House (pursuant to an address of the House) the following copy of

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a letter from Lord George Germain to the Lords of the Admiralty.

Copy of a letter from Lord George Germain to the Lords of the Admiralty, dated Whitehall, 7th of February 1776.

MY LORDS,

HIS Majesty's secretary at war having represented to me, that a considerable quantity of necessaries, for the use of the army at Boston, has been purchased here by Mr. Anderson employed as agent by Major General Howe for that purpose, and is now ready to be sent out, I have received the King's commands to signify to your Lordships his Majesty's pleasure, that you give the necessary orders for taking up a proper vessel to carry out the said necessaries which are computed to amount to about 200 tons, and it is his Majesty's further pleasure that proper accommodation be provided on board such vessel for the reception of such a detachment of recruits as there may be room for. I am, &c.

(Signed) GEORGE GERMAIN.

Sir Grey Cooper presented to the House (pursuant to an address of the House) the following papers.

Copy of a Letter from Mr. Robinson to the Admiralty, that the Specifications in the Licences granted certain Ships are too general, and that the Licences should be confined to Ships laden with Provisions, dated 15th March, 1776.

SIR,

THE Lords Commissioners of his Majesty's Treasury having taken into consideration your letter of the 12th instant respecting the licences to be granted to certain ships going to North America; I am commanded by their Lordships to acquaint you, for the information of the Lords of the Admiralty, that the Lords of the Treasury are of opinion, that the specifications for the ships the Resolution, the Daniel, the Brunswick, and the City of London, are too general, tend to open trade with North America, and are not warranted by the proviso in the act of Parliament giving the power to grant such licences; but are contrary thereto. And their Lordships think it right that such licences should be confined to such ships and vessels as shall be laden with provisions for the use of his Majesty's fleets, armies, or garrisons, or for the use

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use of the inhabitants of any town or place garrisoned or possessed by any of his Majesty's forces, according to the direction of the act of Parliament.

Inclosed I return you the several specifications above referred to. I am, &c.

Geo. Jackson, Esq;

(Signed) JOHN ROBINSON.

Copy of Mr. Robinson's Letter of the 15th March, 1776, to the Commissioners of the Customs, relating to Licences for Ships going to North America.

GENTLEMEN,

Treasury Chambers.

THE lords commissioners of his Majesty's treasury having taken into consideration a letter from Mr. Jackson, secretary to the lords commissioners of the admiralty, stating, that application had been made to the lords of the admiralty for licences to be granted to ships going to North America; and having read the specification of the cargoes of the ships, the Resolution, the Daniel, the Brunswick, and the City of London, and also the act passed in the present session of Parliament, for prohibiting all trade and intercourse with several colonies in America; their lordships are of opinion, that the specifications for the ships, the Resolution, the Daniel, the Brunswick, and the City of London, are too general, tend to open trade with North America, and are not warranted by the proviso in the act of Parliament, giving the power to grant such licences, but are contrary thereto, with which I have, by their lordships orders, acquainted Mr. Jackson, for the information of the lords of the admiralty, and I am directed to acquaint you therewith for your government. I am, Gentlemen,

Your most humble servant,

JOHN ROBINSON.

Copy of a letter from Mr. Robinson to the Admiralty, that Licences may be granted to the ships Loyalty, and True Briton, to carry Provisions to America for the use of the Army, &c. dated 23d March, 1776.

SIR,

THE lords commissioners of his Majesty's treasury having taken into consideration your letter of the 21st instant, together with the specification of the cargoes of the ships Loyalty

alty, and the True Briton, for which application has been made to the board of admiralty for licences to proceed to America, I am commanded by their lordships to return you the said specifications, and to acquaint you, for the information of the lords of the admiralty, that my lords are of opinion, that the board of admiralty may grant licences for the said ships to import into America, from any place from whence the same may be legally imported thither, all articles of provision for the supply of his Majesty's fleets, armies, or garrisons, or for the use of the inhabitants of any town or place garrisoned or possessed by any of his Majesty's forces, according to the directions of the late act of Parliament; but that the articles of wine from Bourdeaux and Oporto are by law prohibited to be carried thither. I am, &c.

George Jackson, Esq;

(Signed) JOHN ROBINSON.

Copy of a Letter from Mr. Robinson to the Admiralty, that Mr. Watlington has agreed to withdraw the Licence he had applied for, dated 23d March, 1776.

SIR,

THE lords commissioners of his Majesty's treasury having taken into consideration your letter of the 21st instant, together with the specifications of the cargo of the ship Paljas, for which application has been made to the board of admiralty for a licence to proceed to America; and having been attended by Mr. Watlington, who has applied for such licence, I am directed to return the same to you, and to acquaint you, that Mr. Watlington has agreed to withdraw the said licence. I am, &c.

Geo. Jackson, Esq;

JOHN ROBINSON.

Copy of a Letter from Mr. Robinson to the Admiralty, that a Licence may be granted to the Ship Nancy, to carry Provisions to America for the use of the Army, dated 23d March, 1776.

SIR,

THE lords commissioners of his Majesty's treasury having taken into consideration your letter of the 21st instant, together with the specifications of the cargo of the Nancy, captain Knowles, for which application has been made to the board of admiralty for a licence to proceed to America; I am commanded by their lordships to return you the specification, and to acquaint you, for the information of the lords of the admiralty, that my lords are of opinion, that the board of admiralty may grant a licence for the said ship

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ship to import into America, from any place from whence the same may be legally imported thither, all articles of provision for the supply of his Majesty's fleets, armies, or garrisons, or for the use of the inhabitants of any town or place garrisoned or possessed by any of his Majesty's forces, according to the direction of the late act of Parliament. I am, &c.

Mr. Jackson.

JOHN ROBINSON.

Mr. Robinson's Letter to the Admiralty, that the Board are of opinion the Admiralty may grant Mr. Merry the Licence he prays for, dated 26th March, 1776.

SIR,

THE lords commissioners of his Majesty's treasury having returned the consideration of your letter of the 21st instant, together with the specifications of the cargoes of the ships Princess Royal, le Soye Planter, Mentor, Lord Rochford, and the Resolution, for which Mr. Anthony Merry has applied to the board of admiralty for licences to proceed to America; and having been attended by Mr. Merry this day thereon, I am commanded by their lordships to return you the specifications, and to acquaint you, for the information of the lords of the admiralty, that my lords are of opinion, that the board of admiralty may grant licences for the said ships, in respect to the cattle and live stock prayed for, and to all other articles of provision, for the supply of his Majesty's fleets, armies, and garrisons, or for the use of the inhabitants of any town or place garrisoned or possessed by any of his Majesty's forces; and I am also directed to desire you will acquaint the board of admiralty, that the lords of his Majesty's treasury are of opinion, that if all the licences, which shall hereafter be granted, be confined to articles of provision for the supply of his Majesty's fleets, armies, or garrisons, or for the use of the inhabitants of any town or place garrisoned or possessed by any of his Majesty's troops, according to the directions of the act of Parliament, and agreeably to the opinion of this board, signified in my letter of the 15th instant, it will not be necessary to transmit to this board the several applications made to the board of admiralty for licences. I am, &c.

Mickson.

J. ROBINSON.

Copy of a Letter from Sir Grey Cooper to Mr. Merry, dated 26th January, 1776.

SIR,

Treasury Chambers.

I HAVE laid before the lords commissioners of his Majesty's treasury your proposal for chartering four ships, to be sent

sent to Mogadore to load cattle, and from thence to transport them to Boston, or to such other place in North America, where the commander in chief of his Majesty's forces shall direct them to be landed, and delivered for the use of the army: and I have also submitted to their lordships consideration, your estimate or calculation of the cost of four cargoes of 100 oxen, and 300 sheep, in each ship; to be so laden, transported, and delivered; and I am commanded to acquaint you, that they would have wished that you could have undertaken to perform this service by contract, at a certain stipulated rate; but as you represent, that the particular circumstances under which this supply is to be provided, and the many contingencies to which the execution of it must be liable, render the undertaking to contract for the delivery of the cattle and sheep, at a certain rate, impracticable; and as their lordships are most anxious that his Majesty's forces in America should be supplied with fresh provisions from every place where there is a fair probability of such supply being obtained and conveyed to the army, I have it in command to authorize you to provide four vessels properly fitted for this service, and to purchase the cargoes according to your proposal, on account of government; and to ship and transport them, under the direction of captains well acquainted with the trade of Mogadore, experienced in the manner of transporting live cattle, and with orders to deliver them to such person or persons as shall be appointed or directed by the commander in chief to receive them at Boston, or wherever his Majesty's army shall be at the time of their arrival in America: And I am further to assure you, that on your producing proper vouchers for each particular charge, confirmed by your letters of advice, and copies of the letters and orders which you may write or give in the execution of this business, you may depend on the regular and punctual payment of all monies by you so expended; and on your rendering a general account, such commission will be allowed you, as shall appear to be adequate to the business done, and the service performed by you to the public. I am, &c.

Anthony Merry, Esq;

(Signed) GREY COOPER.

Copy of a Letter from Sir Grey Cooper to Mr. Merry, dated 24th February, 1776.

SIR,

Treasury Chambers.

SINCE my last letter I am directed by the lords commissioners of his Majesty's treasury to acquaint you, that if from any advices or intelligence you may have received you shall have

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have reason to apprehend any disappointment in obtaining cargoes of live cattle for your ships at Mogadore, their lordships authorize you to load the four ships which you have chartered, with oxen, sheep, and hogs, at any port or place in Great-Britain, Ireland, or America, from which the service may be performed most speedily and advantageously; and in case the charters for two vessels, which you have ordered to be made in Spain by Consul March, should have been executed, you are directed to give such orders respecting them and their destination, as may secure their cargoes from all risque by insurance. I am, &c.

Anthony Merry, Esq;

(Signed)

GREY COOPER.

Copy of a Letter from Sir Grey Cooper to Mr. Merry, dated 28th February, 1776.

SIR,

Treasury Chambers.

IN consequence of your last letter, in which you apply, that all goods put on board the armed ship which you have purchased, and the four other vessels which you have chartered as stores or provisions for his Majesty's forces in America, or for the use of the inhabitants of such towns or places as shall be in their possession, should be paid for in the same manner as the oxen, sheep, or hogs, furnished by you for that service, upon your producing proper bills of lading, and invoices of such goods, I am commanded to acquaint you, that upon your producing such bills of lading and invoices, warrants will be ordered for the monies which it shall appear that you have disbursed in the purchase of such goods, together with the commission usual in such cases. I am at the same time to direct you to take care that the goods which you shall purchase, and ship for this service, be such as may be carried to America as stores and provisions for the army, or for the use of the inhabitants of such towns and places as aforesaid, pursuant to the exceptions in the late act of Parliament, and in conformity to the licences which may be granted to you for that purpose. I am, &c.

GREY COOPER.

Copy of a Letter from Mr. Robinson to the Secretary at War, to know if the Articles for which a Licence is prayed for by Mr. Anderson, are Stores for his Majesty's Troops in America, dated 24th March, 1776.

MY LORD,

MR. Jackson having, by directions of the lords of the admiralty, transmitted to me for the information of the lords of

his Majesty's treasury, a specification of the cargo of the ship called the Jameson and Peggy, for which Mr. James Anderson has applied to the board of admiralty for a licence to proceed to America, and Mr. Anderson having attended my lords, and informed them that the several articles applied for are stores for the use of the army, and that he was sent over by General Howe and the officers, to provide them for their service, I am directed to transmit the same to your Lordship, and to desire that your Lordship will please to acquaint me, for the information of this board, whether the several articles for which a licence is prayed for by Mr. Anderson, are stores for the use of his Majesty's troops. I am, &c.

JOHN ROBINSON.

Copy of a Letter from the Secretary of War to Mr. Robinson, on Mr. Anderson's Application for a Licence, dated 28th March, 1776.

S I R,

War-Office.

I HAVE just received your letter, inclosing a specification of the cargo of the ship Jameson and Peggy, which I herewith return, and am to desire you will be pleased to acquaint the right honourable the lords commissioners of his Majesty's treasury, that Mr. James Anderson was sent over by General Howe, and the officers at Boston, to provide stores for the army there; and that the ship above-mentioned has been appropriated, by order of government, to carry the said stores to North America.

As General Howe has not transmitted to me any list of the articles ordered by him, or the officers under his command, I cannot take upon me to assure their lordships, that the several articles for which Mr. Anderson desires a licence, are intended for stores for the use of Majesty's troops. I am, Sir,

Your most obedient humble servant,

BARRINGTON.

Copy of a Letter from Mr. Pownall to Mr. Robinson, about Mr. Anderson's Application for a Licence, dated 3d April, 1776.

S I R,

Whitehall.

I AM directed by Lord George Germaine to transmit to you a memorial presented to his Lordship by Mr. James Anderson, who, with the approbation of General Howe, has been appointed, by the commanding officers of the different regiments at Boston, to procure here, and convey to America, fundry stores and necessaries for the use of the said regiments, and

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and as it appears by a letter to me from Lieut. Gen. Hervey, a copy of which I enclose, that there can be no doubt of Mr. Anderson's having proper authority to provide these stores, and that they are intended solely for the use of the King's troops; I am to desire you will submit it to the consideration of the lords commissioners of the treasury, whether it may not be necessary to give immediate orders that the licence he had obtained be returned to him. I am, Sir,

Your most obedient humble servant,

John Robinson, Esq.

J. POWNALL.

*Copy of a Letter from Mr. Robinson to G. Jackson, Esq.
dated 4th April, 1776.*

S I R,

I am commanded by my lords commissioners of his Majesty's treasury to transmit to you, for the information of the lords of the admiralty, the inclosed copies of letters from Mr. Pownall and General Hervey, relative to an application from Mr. James Anderson, for a licence for the ships Jameson and Peggy, laden with sundry stores for the use of the army at Boston, and to acquaint you, for the information of the lords of the admiralty, that my lords are of opinion, that under the particular circumstances of this case, a licence may be granted for the said ship, on his giving the security offered in his memorial. I am, &c.

G. Jackson, Esq.

J. ROBINSON.

*Copy of a Letter from Mr. Robinson to John Pownall, Esq.
dated 4th April, 1776.*

S I R,

The lords commissioners of his Majesty's treasury having taken into consideration your letter of yesterday, with the inclosures relative to the licence applied for by Mr. James Anderson, to export sundry stores to America, for the use of the King's troops there serving under General Howe. I am directed by their lordships to acquaint you, for the information of Lord George Germaine, that they are of opinion, under the particular circumstances of this case, a licence may be granted on his giving the security offered in his memorial, and that I have, by their lordships' order, signified the same to the admiralty, and returned the licence transmitted to the board of treasury. I am, &c.

John Pownall, Esq.

J. ROBINSON.

Treasury Minute, 15th March, 1776.

Whitehall Treasury Chambers.

Present, Lord North, Mr. Onslow, Mr. Townshend.

READ letter from Mr. Jackson, deputy secretary to the admiralty, transmitting for the information of my lords, specifications of the cargoes of two vessels, for which application has been made to the board of admiralty for licences to proceed to North America, but of which cargoes, several articles appear not to come within the intention of the act for prohibiting all intercourse with certain colonies,

Read the said specifications.

Read specifications of the cargoes of the ships *Resolution* and *City of London*.

Write to Mr. Jackson, acquainting him, for the information of the lords of the admiralty, that my lords are of opinion, that the specifications for the said ships are too general, tend to open trade with North America, and are not warranted by the proviso in the act of Parliament, giving the power to grant such licences, but are contrary thereto; and my lords think it right that such licences should be confined to such ships and vessels as shall be laden with provisions for the use of his Majesty's fleets, armies, or garrisons, or for the use of the inhabitants of any town or place, garrisoned or possessed by any of his Majesty's forces, according to the directions of the act of Parliament.

Treasury Minute, 22d March, 1776.

Whitehall, Treasury Chambers.

Present, Lord North, Mr. Onslow, Mr. Townshend, Mr. Cornwall.

Read letter from Mr. Jackson, deputy secretary of the admiralty, transmitting specifications of the cargoes of four ships, *Princess Royal*, *Loyalty*, *True Briton*, and *Nancy*, for which applications have been made for licences, and desiring to know whether my lords have any objections to licences being granted for the said ships, transmitting also two licences which have been granted for the ships *Pallas*, *Jameson*, and *Peggy*, but since recalled, and desiring to know if there be any objection to delivering them back to the persons who applied for them, with the addition of some articles to the cargo of the *Jameson* and *Peggy*, likewise inclosing specifications of the cargoes of four ships, *Le Soye Planter*, *Lord Rochford*, and *Resolution*, for which licences have been granted, but ~~stop~~ at the custom house, and desiring to know whether new licences

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licences may be granted for such ships, according to fresh invoices delivered in by the merchants.

Read all the said applications and licences.

Direct Mr. Merry to attend my lords hereon on Tuesday next.

Mr. Watlington attends, in consequence of the application made by him for the ship Pallas, and is heard, and thereon acquaints my lords, that he agrees to withdraw his licence.

Transmit to Lord Barrington the specification of the cargo of the ship Jameson and Peggy, and desire that his Lordship will be pleased to acquaint this board, whether the several articles, for which a licence is prayed by Mr. Anderson, are stores for the use of his Majesty's troops.

Treasury Minute, 26th March, 1776.

Whitehall, Treasury Chambers.

Present, Lord North, Mr. Onslow, Mr. Townshend, Lord Beauchamp, Mr. Cornwall.

My lords resume the consideration of Mr. Jackson's letter of the 21st instant, respecting the applications that have been made to the board of admiralty for licences for ships to proceed to North America.

Read letter from Mr. Merry to Mr. Jackson, containing his application for licences for the ships Resolution, Princess Royal, Le Soye Planter, Mentor, and Lord Rochford, together with specifications of the cargoes intended to be exported in the said ships. Mr. Merry attends, and informs my lords, that he had provided a number of cattle and live stock for the supply of the troops in America, agreeably to the order of Sir Grey Cooper, Bart. but that he has applied for the other articles, mentioned in the specifications, upon his own account.

Write to Mr. Jackson, desiring him to acquaint the lords of the admiralty, that my lords think the board of admiralty may grant licences for the said ships in respect to the cattle and live stock, and to all other articles of provision; and that if the board of admiralty confine all licences to articles of provision for the supply of his Majesty's fleets, armies, or garrisons, or for the use of the inhabitants of any town or place garrisoned or possessed by any of his Majesty's forces, according to the directions of the act; and agreeably to the opinion of this board, signified in Mr. Robinson's letter of the 15th instant, my lords are of opinion, that it will not be necessary to transmit to this board the several applications made to the admiralty for licences.

Treasury

Treasury Minute, 29th March, 1776.

Whitehall, Treasury Chambers.

Present, Lord North, Mr. Townshend, Lord Beauchamp, Mr. Cornwall.

Read letter from the secretary of war, relative to the application of Mr. James Anderson for a licence to ship for Boston sundry stores for the use of the army there; in which the secretary of war states, that Mr. James Anderson was sent over by general Howe, and the officers at Boston, to provide stores for the army there, and that the ship abovementioned has been appropriated, by order of government, to carry the said stores to North America; but that as general Howe has not transmitted to him any list of the articles ordered by him, or the officers under his command, he cannot assure their lordships that the several articles for which Mr. Anderson desires a licence, are intended for stores for the use of his Majesty's troops.

Treasury Minute, 3d April, 1776.

Whitehall, Treasury Chambers.

Present, Lord North, Mr. Townshend, Mr. Cornwall.

Read letters from Mr. Pownall, dated 3d April, 1776, transmitting, by directions of lord George Germain, a memorial presented to his lordship by Mr. James Anderson, who, with the approbation of general Howe, has been appointed by the commanding officers of the different regiments at Boston to procure here, and convey to America, sundry stores of necessaries for the use of the said regiments; and stating, that as it appears by a letter to his lordship from lieutenant general Harvey, that there can be no doubt of Mr. Anderson's having proper authority to provide these stores, and that they are intended solely for the use of the King's troops, he desires my lords will take into consideration, whether it may not be necessary to give immediate orders that the licence he had obtained may be returned to him.

Read Mr. Anderson's memorial, wherein he offers to be bound in any sum to deliver the whole of the stores to the order of general Howe, or the commander in chief of the forces.

Read general Harvey's letter to lord George Germaine.

Write to Mr. Jackson, acquainting him, for the information of the lords of the admiralty, that my lords are of opinion, that under the particular circumstances of this case a licence may be granted for the said ship, on Mr. Anderson's giving the security offered in his memorial.

Write

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Write to Mr. Pownall, for the information of lord George Germaine, acquainting him with the direction which my lords have given.

May 7.

Committee on Hindon incapacitating Bill dissolved; being only 26 members.

May 8.

Sir George Yonge said, the Shaftesbury incapacitating bill having been so ill attended, he should move, to put it off for three months; which was agreed to. He next moved the new writ for Shaftesbury; Mr. Byng seconded the motion. The House divided: for the writ, 123; against it, 25. A new writ for Hindon was next moved. The House divided again: for the writ, 128; against it, 20.

Order to go into a committee of enquiry into the licences granted by the admiralty.

Mr. Burke moved, that the American merchants should be admitted during the examination of the witnesses. It was refused.

Motion being made, to read the order of the day for the committee on the admiralty licences; and notice being taken that no return had yet been made by the commissioners of the customs to the orders of the House of Monday last, to lay the papers therein mentioned before the House;

Mr. Stanley, secretary to the commissioners of the customs, was called in, and examined in relation thereto, and said, that he was served with the said orders of the House yesterday.

Q. Have you got the accounts which were ordered, or any part of them?

A. No.

Q. Why not?

A. The board have ordered them to be prepared, but they will take up much time in preparing.

Order was read, as follows:

Ordered, That the commissioners of his Majesty's customs do lay before this House, copies of all entries of goods and merchandize outward for North America (Canada and Nova Scotia excepted) which have been made at the port of London, or any other port within Great-Britain or Ireland, and also of any cockets or permits that may have passed for shipping of goods into any ships taken into his Majesty's service bound to North America, as far as such entries, cockets, or permits, have as yet come to their knowledge, since passing the act for prohibiting all trade and intercourse with the colonies

colonies of New Hampshire, Massachuset's Bay, &c. with the dates thereof; and also the several quantities of goods actually shipped from each port in Great-Britain or Ireland, in consequence of such entries, cockets, or permits, as aforesaid, distinguishing the species of each, by whom, and for whose account they were entered, when shipped, in what ship or vessel they have been shipped off, by whose licence or permission, and also copies of all minutes in their books, or any orders, notes, messages, or letters in their office, received from, or sent to, the lords commissioners of the treasury, or the lords commissioners of the admiralty, or their respective secretaries, or to any other person or officer of government whatsoever, relative to the subject of sending goods to America under the restrictions imposed by the said act; also an account of any goods (distinguished as above) that may have been re-landed from any ship or vessel, in consequence of any order or alteration in the regulations that may have taken place for licensing the above commerce, as permitted by the aforesaid act, and the reasons for such alterations and relanding.

Q. When can the accounts be prepared?

A. The collector outwards can tell that best; Mr. Bates, his deputy, is here.

Q. Does not some part of the order fall under your department?

A. Yes; the letters and reports can be furnished by the board.

Q. How long would it take to prepare those?

A. Four or five days.

Q. Would they take four days?

A. There are a vast number; many must be sent for from the out-ports; those that relate to London might be ready in four or five days.

Q. Have you read the order?

A. Yes.

Q. Do you understand by it that it is necessary to send to the out-ports?

A. Yes.

Q. Have you read these words of the order (as far as comes to their knowledge)?

A. If the House would know all, they must wait for what comes from the out-ports. We cannot suppose the House wants a particular account.

Q. Does

Q. Does not the order require only what is come to their knowledge?

A. Yes; but when this House calls for such an account, we do not understand they can mean only the port of London, but also the out-ports.

Order read.

The words of limitation in the order (so far as comes to their knowledge) relates only to the first part of the order, and these may be prepared in two or three days. *Withdrew.*

Mr. *Burke* said, it had been always customary to bring accounts before the House, as far as they could be made up, and accompany them with reasons why the order could not be fully complied with; in which case, the House judged whether the reasons were satisfactory; but to produce a few partial accounts of no moment, and hold all those back which were of consequence, was a conduct as insolent and contemptuous, as it was unprecedented.

Lord *North* spoke relative to the fate of a similar enquiry in the other House. He said, after the matter had been taken up with great parade, and papers called for, it was dropped, because the noble Lord who moved it, found, on being better informed, that both the treasury and admiralty boards had acted perfectly right. Now the same question, stale as it is, is brought down here, and as in the other House he was well satisfied, and foresaw it would end in nothing, it would meet with the same fate here.

Mr. *Rigby* said, the matter was set on foot purposely to tease and embarrass administration, and would, as in the other House, vanish in smoke.

Honourable T. *Luttrell* said, he had no doubt of the gentleman's zeal in the good cause in which he was embarked. It was his business, and that of his friends, to smother this iniquitous traffic, and not suffer it to cause either fire or smoke. But for his part, he hoped it would be probed to the bottom. That monopolies were always hateful and oppressive, and still more so, when exercised under the colour of law. That the present was of the darkest and worst complexion, and the enormity of it still heightened, by being employed to the basest and most corrupt purposes. That he understood the licences were granted to obscure, mean persons; not known to trade to America, and probably, should the matter be probably sifted, it would be discovered, that those pretended merchants, though the enquiry might end in nothing, were not thus favoured for nothing.

The House resolved itself into a committee, to enquire into the use which the commissioners of the admiralty have made of the power to grant licences to ships and vessels, given them by the act to prohibit all trade and intercourse with certain colonies therein mentioned.

Mr. Pulteney in the chair.

Papers referred; read.

Prohibitory act; read.

Mr. Stanley. Mr. Stanley, secretary of the customs.

Q. Whether the first licences granted by the admiralty were ever under the consideration of the commissioners of the customs?

A. The board of customs said they had nothing to do with them, but to receive the licences when brought.

Q. How came they to say so?

A. Because they were asked touching the form of the licences, and they said it must be settled by the admiralty-board.

Q. By whom were they asked?

A. I believe some of the merchants asked. The board said, they had nothing to do with it in an official way; it came before the board from the collector outwards. He asked, what he should do with respect to the licences? The board said, they were to be settled by the admiralty.

Q. When the collector applied to the commissioners, did he state any doubts as to the legality of the licences?

A. No; not that I remember.

Q. Were the licences produced to the commissioners by the collector outwards when he applied for information?

A. No; the commissioners never saw the licences.

Q. Did the matter never come under the consideration of the board in any other shape?

A. No; except that there was a letter wrote by Mr. Jackson from the admiralty, desiring the licences to be sent back.

Q. What was the purport of that letter?

A. That they were too general; therefore it was desired that they might be sent back.

Q. Did the commissioners of the customs take any opinion as to the legality of those licences?

A. No.

Q. Did the commissioners of the customs receive any orders from the treasury, respecting any drawbacks to be allowed on any goods exported under these licences?

A. There

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A. There was one warrant to that purpose; it was to allow a drawback on some tobacco.

Q. Had no application been made before to the commissioners with respect to a drawback?

A. No.

Q. Not from the merchants?

A. No.

Q. Was there no official application made to the board?

A. The deputy collector outwards made an application; his name is Bates.

Q. Was there not some doubts at the custom-house with regard to admitting the entry of some goods included in the licences as warranted by the act of Parliament?

A. I don't know that there was.

Q. Does he not know that there was such a doubt?

A. That question the collector outwards will answer better. I can't say. The manner of proceeding is this: If any doubts arise, they are always delivered in writing to the commissioners, and must have been referred to the solicitor of the customs. The collector outwards would have put it in writing, and delivered it to the solicitor; and he would have made his report to the board.

Q. Was there no such writing?

A. I don't know that there was.

Q. In what ship was the tobacco?

A. I can't say.

Q. Were there not some doubts about that tobacco?

A. There might be; I can't say; it does not come officially before me.

Q. Is it usual for the treasury to send orders to the commissioners about matters not sent to them by the treasury?

A. Yes.

Q. Have you the order respecting the tobacco about you?

A. No.

Q. What was the contents of that order, and the occasion of it?

A. I think it was an order for allowing a drawback on the tobacco.

Q. Was that tobacco part of the cargo of the subscription ship?

A. I can't say. I am not the proper officer.

Q. Does he know whether this order was the only one for allowing a drawback?

A. I believe it is the only one; I know of no others.

Q. Whether there are any entries of goods and merchandize outwards to North America, Canada and Nova Scotia excepted, which have been made at the port of London, or any other port within Great-Britain or Ireland, or any cockets or permits passed for shipping of goods into any ships taken into his Majesty's service, bound to North America, since passing the prohibitory act, which have come to the knowledge of the commissioners of the customs?

A. Not of the specific quantities.

Q. Have any such entries, cockets, or permits, come to their knowledge?

A. We know licences have been granted, and goods must have been shipped in consequence of them.

Q. Do you know of any such entries made?

A. I believe there have, but I don't know it.

Q. Whether the commissioners of the customs know any thing of any entries from the port of London, except from the report of the proper officers?

A. No; we know nothing except from the report of the officers. If any particular account is called for by this House, when the order comes it is sent to the proper officer in the port of London; and letters are also written to the 71 out-ports to send up returns agreeable to the order of the House.

Q. Have any such returns been received at the custom-house from the port of London, or elsewhere?

A. No; there have been no orders for them.

Q. Have any been received?

A. No; not to my knowledge.

Q. Are there any minutes in the custom-house books, relating to sending goods to America, since the prohibitory act?

A. It is impossible for me to say: not that I know of.

Q. When was the letter of Mr. Robinson, dated 15th March, received at the custom-house?

A. The next day I suppose; it will appear in the minutes of the custom-house.

Q. Suppose the letter wrote on a Friday?

A. Then it appears on the Saturday's minutes.

Q. Has any thing been done at the custom-house in consequence of the order of this House of Monday last?

A. On the minutes of yesterday there was an order to prepare the account, and letters ordered to be sent to the out-ports for the same purpose.

Withdrew.

Mr.

Mr. *William Bates*, deputy collector outwards of the port of London. Mr. *William Bates*.

Q. In the course of office at the custom-house were the licences first brought to you?

A. Yes.

Q. On seeing those licences did you make any objections to them?

A. Mr. Greenwood first brought licences to me, and I told him it was necessary to apply to the commissioners for instructions. Mr. Greenwood was agent to the person who had the licences.

Q. Did you apply to the commissioners.

A. Yes.

Q. What was the consequence?

A. The commissioners said, that they should not trouble themselves with it, as the proceedings were pointed out by law.

Q. Had you found any objection to them in point of law?

A. No; but I thought it was necessary to have directions from the board.

Q. Did you think the licences were agreeable to law?

A. We did apprehend they were.

Q. Did you make any objections to any licence in particular?

A. One entry was presented by Mr. Watlington, which I thought did not agree with the licence, and therefore I refused it.

Q. State the circumstances of that entry?

A. The goods mentioned in the entry did not seem to correspond with the schedule annexed to the licence: there was a good deal of difference between them, and I think he took back the schedule, and got it amended.

Q. Where did he get it amended?

A. I imagine at the admiralty.

Q. Upon what article of merchandize did this difference happen?

A. I don't recollect.

Q. Does he recollect any thing about a parcel of teas?

A. There was an entry of tea to be shipped on board the *Jameson and Peggy*. The licence expressed tea and grocery, of the value of £1000; the tea alone was of more value, therefore I refused it.

Q. What was the value of the tea?

A. I

A. I can't say precisely, but more than £1000. I believe between two and three thousand pounds.

Q. To what amount was the licence amended?

A. Of tea to the value of £4000. I believe I mistook; it was the Pallas, not the Jameson and Peggy. There was about £3000 worth of tea shipped on board: it was the Pallas, and by licence from the admiralty.

Q. Did you ever see any lawyer's opinion on this subject?

A. No.

Q. Do you recollect when the licences were stopped?

A. The 19th of March: the commissioners minute is of that date.

Q. How many licences did you object to?

A. Those two, and another of Mr. Anthony Merry, with respect to some greens, herbage being omitted in the licence.

Q. Has he read the clause in the prohibitory act, limiting the articles to be exported?

A. Yes.

Q. Is broadcloth comprized in that clause?

A. I did not think so; but I thought we ought to take the entries according to the licences. My brother officers agreed with me in that opinion, that we were obliged to pass entries according to the licences; we thought we had no power to refuse such entries.

Q. Was it your opinion?

A. It was, and of all the officers that I consulted.

Q. Was it the opinion of the officers that cloth, linen, and haberdashery, not sent for the use of his Majesty's troops, could be licenced?

A. We understood the commissioners of the admiralty were better judges than we were on that subject.

Q. Do you know of any reference to the treasury?

A. No.

Q. Was there not a note at the bottom of the licences, that if other goods than those mentioned in the licences, and provisions for the ship's use, were found on board, the ship and cargo was to be forfeited?

A. Yes.

Q. Did not this create a doubt?

A. We have no power of seizing; that's the business of other officers, the shipping officers and searchers.

Withdrew.

Mr. James
Hume.

Mr. James Hume, deputy comptroller of the customs.

Q. Did

Q. Did he refuse to pass entries for Mr. Merry in March last, in consequence of a licence from the admiralty?

A. I don't remember particularly for Mr. Merry.

Q. For any other person?

A. We refused to pass entries when they did not correspond with the licence.

Q. When any licences were presented, did any objections occur to you or any of the other officers?

A. None to the licences.

Q. Were they referred to the commissioners?

A. Yes; they said the law must be our direction.

Q. Why did you apply to them?

A. Because it was a new business, and we wanted their authority.

Q. Did you conceive the lords of the admiralty could licence any other goods except stores and provisions?

A. Our ideas of stores were what was specified in the licence of the admiralty.

Q. Do you think broadcloth and haberdashery goods are stores?

A. We understood it in the licences as stores. Stores we take to be any species of goods.

Q. Do you consider all the articles for the American trade were comprized under the word stores?

A. I was not authorized to determine what was stores.

Q. If you had had authority, what should you have decided?

A. Not being used to trade, I can't say.

Q. Did you think you had no power to object to any article found in the licences?

A. No.

Q. Of any kind?

A. No.

Q. Are playing-cards stores and provisions?

A. If mentioned in the licence, I should have admitted them.

Q. Were there no objections made to any entries mentioned in the schedule to any licence?

A. The first entry from the committee appointed for sending goods for the relief of the soldiers, in which there was no difficulty but about the drawback on the tobacco.

Q. Was any objection made to the entry of the goods on board the Pallas?

A. Some

A. Some goods entered for that ship which were wanting in the schedule, and therefore the licence was taken back and altered.

Q. Were any goods objected to in the *Jameson and Peggy*?

A. I don't recollect there was.

Q. Were any objections made to goods offered to be entered by Mr. Merry?

A. I don't recollect.

Q. Does he recollect the licence granted to the ship *City of London*?

A. Not of that particular ship.

Q. Did you require that the particular quantity of goods should be specified in the licence?

A. It was generally specified.

Q. Did you pass any entry where the quantities were not specified?

A. We did in such articles as haberdashery, and where the quantities could not be ascertained.

Q. Were there not some schedules in which the quantities were not specified?

A. Not that passed, I think, to the best of my recollection. [Schedule of the licence of the ship *City of London*, 5th Feb. was then read.]

Q. Did you pass any entry under such a licence?

A. I don't recollect.

Q. Informed as you now are, would you pass an entry on such a licence as that?

A. I apprehend I should not.

Q. Did you ever send back a licence for an &c. put at the end of an article?

A. Some such were tendered, but whether they passed or no I can't say.

Q. Are you acquainted with the assortment of goods for the American market?

A. Yes, I believe I am.

Q. Whether the articles mentioned in those schedules are not the usual assortment of goods for the American market?

A. I apprehend they are.

Withdrew.

Mr. Anthony Merry called for. Committee informed that he was out of town when the order for his attendance was left at his house, but that his clerk, Mr. Henry Mathison, attended.

Mr.

Mr. *Henry Mathison*.Mr. *Henry Mathison*.

Q. Where is Mr. Merry?

A. At Milford.

Q. When is he expected in town?

A. It is uncertain: he has been gone a fortnight to-day.

Q. Do you know of the different cargoes of goods which Mr. Merry sent to North America?

A. Yes.

Q. On whose account were they purchased?

A. On Mr. Merry's account.

Q. What are the names of the ships?

A. Princess Royal, Lord Rochford, Le Soye Planter, Mentor, Resolution.

Q. Are they gone to Boston?

A. They were intended for Boston.

Q. Has Mr. Merry ever dealt in the North American trade before?

A. He has occasionally; but that was not the general track of his business.

Q. When did he begin?

A. I can't recollect.

Q. Were any of the goods shipped on the account of government?

A. None of them.

Q. What paper is that you have in your hand?

A. Bills of lading of Mr. Merry's ships.

Q. What do they contain?

A. Tobacco, French and Portugal wines, fallad oil, anchovies, raisins, cheese, portable soup, and sundry dried provisions.

Q. Is this the cargo of all the ships?

A. They all consist of the same articles.

Q. Are there any live cattle aboard?

A. I don't know.

Q. Is the same kind of cargo in each ship?

A. Yes.

Q. Have they a full cargo of those goods?

A. They are not fully laden; not one-third.

Q. Are there any live cattle aboard?

A. I believe none.

Q. Where are the ships?

A. At Milford.

Q. Are they taking in live cattle there?

A. I have had no advices of it.

Q. When were they cleared out from London?

A. I don't exactly remember: I believe about a month since. I heard of their arrival at Milford Haven about ten days ago: they are bound to Boston; at least they were intended to go there.

Q. Only to Boston?

A. I don't know; I understood so.

Q. What quantity of tea is there on board?

A. No tea.

Q. Was none in the licence?

A. I don't know; but there was none shipped.

Q. Had Mr. Merry any ship stopped in the port of London?

A. The Mentor was stopped, and some goods relanded.

Q. Were not some things shipped by Mr. Smith for Mr. Merry for Boston?

A. I don't recollect the name of Smith.

Q. What became of the part that was not relanded?

A. It remained in the vessel.

Q. What became of the vessel?

A. I can't say.

Q. Who ordered the relanding of the goods?

A. I believe the commissioners of the customs, but I did not know on what account.

Q. What was done with the goods that were relanded?

A. They were returned to the different tradesmen who shipped them.

Q. Has Mr. Merry sent any ships to Magadore?

A. He has not.

Q. Where had Mr. Merry the licences for the ships now at Milford Haven?

A. I can't say.

Q. Do you remember the application to the admiralty for those licences?

A. I don't remember the exact time; for I don't live constantly with Mr. Merry, only occasionally.

Q. Was the application for the service of his Majesty, or only for a trading licence?

A. I don't know Mr. Merry's intentions.

Q. Who applied for the licences?

A. Mr. Merry himself.

Q. Did the tradesmen, of whom the goods were bought, take them back again when they were relanded?

A. Yes; but I don't know on what conditions they were taken back.

Q. Were

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Q. Were those ships insured to Boston?

A. Yes.

Q. Were any of them insured to Halifax?

A. No, not one.

Q. Was he employed by Mr. Merry in chartering those ships?

A. No.

Q. Are they all chartered by Mr. Merry?

A. I believe they are. I don't know whether they are in the service of government or not. I have seen the invoices of three or four of the ships, but I have not read them, and cannot speak as to the tenor of them.

Q. Did you see the order from the commissioners of the customs for relanding those goods that were relanded?

A. No, I did not; but I understood that to be the case.

Q. Were those goods carried to the custom-house when relanded?

A. Yes; they were relanded at the custom-house quays to the amount of £5000. The goods were relanded from only two of the ships, the Mentor, and the Le Soye Planter, and from no other.

Q. Do you recollect whether Mr. Merry had any difficulty in procuring the cargoes of the ships?

A. I was not with him when he began procuring their cargoes. I don't know that he had any difficulty in procuring them. I never heard so from Mr. Merry.

Q. Do you not know that Mr. Merry is absent with a view of not attending here, or at the House of Lords, to be examined?

A. I believe he did not absent himself with that view. He went directly to Milford Haven. I heard from him about four days after he left London, and I heard from him again yesterday: he does not mention when he is to return. I don't think he absented himself to avoid being examined, but merely on account of his business at Milford Haven.

Q. In what trade has he usually been employed?

A. He has been occasionally employed in the American trade, but principally in the Straits trade.

Q. Was Mr. Merry understood to be an American trader?

A. No.

Q. What parts has he traded to before?

A. He traded to Halifax about eight or nine years ago.

Q. What trade has he been in since you knew him?

A. I believe in the wine trade, and has done business on commission.

Q. To what amount has he traded, before he was concerned in these ships?

A. I don't know.

Q. Do you not understand that Mr. Merry is to ship the cargoes from Milford Haven, and is there on that business?

A. Yes, I do.

Q. What cargo is he to ship from Milford?

A. Live cattle.

Q. Are any live cattle to be shipped on board those vessels?

A. I believe there are.

Q. What is said about live cattle in any letter you have received from him?

A. He has said they turn out finer than he expected; all sorts, oxen, sheep, and hogs.

Q. Are those bills of lading signed by the captains?

A. Yes.

Q. Is it usual to sign bills of lading before cargoes are completed?

A. These goods being taken in at London, it is usual for the captains to sign the bills of lading before they leave the river.

Q. Have you any of the bills of lading?

A. Yes.

Q. Read one of them?

Shipped on board the ship Le Soye Planter.

25 casks cut tobacco	25 barrels of anchovies
9 half hogheads of red port wine	24 casks of Lexia raisins
8 ditto mountain wine	42 baskets of cheese
8 chests of claret	30 boxes of lemons
6 jars of oil	1 case of flour of mustard
40 half chests of oil	1 case of portable soup

On board the ship Mentor.

10 half hogheads of port wine	28 casks of Lexia raisins
8 chests of claret	40 baskets of cheese
6 jars of fallad oil	20 boxes of lemons
4 half chests of ditto	1 case of flour of mustard
25 barrels of anchovies	1 case portable soup

On board the ship Lord Rochford.

10 casks of cut tobacco	6 jars of fallad oil
10 half hogheads of Lisbon	6 half chests of ditto
9 ditto port wine	25 barrels of anchovies

26 casks

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26 casks of raisins 13 casks and cases of dried
20 boxes of lemons provisions

40 baskets of cheese

On board the ship Princess Royal.

10 casks of cut tobacco 20 half chests of ditto
8 half hogheads of moun- 15 casks of Lexia raisins
tain wine 25 barrels of anchovies
6 jars of fallad oil 45 baskets of cheese

On board the Resolution.

20 casks of cut tobacco 63 casks of raisins
12 chests of claret 40 boxes of lemons
9 half hogheads of Lisbon 44 baskets of cheese
wine 9 casks of hams
10 ditto red port wine 6 cases of flour of mustard
8 casks of sherry 144 small cases of pickles
6 jars of fallad oil 1 cask of ketchup
44 half chests of ditto 9 cases of portable soup.
43 barrels of anchovies

Q. To whom were those cargoes consigned at Boston?

A. They are consigned to order.

Q. To whose order?

A. I don't know.

Q. Was any tea sent?

A. No.

Q. Was any grocery sent?

A. No.

Q. Were any drugs sent?

A. No.

Q. What was the amount of the cargo that was shipped,
and afterwards relanded?

A. About £5000.

Q. What's the value of the goods sent?

A. About £3000 or £3,200, all the five cargoes.

Q. Do you know of any contract-agreement, or order, by
which these five ships are to be under the order of General
Howe?

A. I don't know there is. Mr. Merry is to give the cap-
tains their instructions at Milford Haven.

Q. Has Mr. Merry any contract with government?

A. The cattle that are to be shipped are on government
account.

Q. Are no ships, on Mr. Merry's account, gone to Ma-
gadore.

A. Not that I know of.

Withdrew.

Mr.

Mr. Thomas
Woolridge.

Mr. *Thomas Woolridge* (a merchant in London).

Q. He is desired to acquaint the committee, whether he ever had any conversation with Mr. Hurd respecting the licences granted by the admiralty since the prohibitory act?

A. Yes.

Please to relate the particulars and circumstances of that conversation.

And the question being objected to, the witness was directed to withdraw.

Mr. John
Whitlock.

Mr. *John Whitlock* (a haberdasher).

Q. Did Mr. Merry apply to you for goods for the American market?

A. Yes.

Q. What species of goods?

A. Haberdashery wares: ribbands and sewing silks; cloaks, gauzes, and such like; a compleat assortment of haberdashery goods.

Q. To what amount was the assortment?

A. He said he wanted about £6000 worth, to be shipped on board four ships.

Q. Have you known Mr. Merry long?

A. Yes, but I never dealt with him before: he told me he was to be paid by the treasury for them.

Q. Did he use any means to induce you to let him have the goods?

A. He produced a letter from Sir Grey Cooper.

Q. Did he only produce one letter?

A. Yes, two letters.

Q. Were they both produced the first time?

A. He produced only one the first time.

Q. Did that letter satisfy you?

A. No.

Q. Did you state your objections?

A. Yes; he brought another a few days afterwards; I was not then satisfied with the second letter.

Q. Did you ask any person about those letters?

A. Yes, I did: I went to a confidential friend, to enquire about them.

Q. Was your friend any body about the treasury? Did you ask Mr. Brummel about it?

A. Yes; he said he would inform himself about the affair, and acquaint me with it.

Q. Was that the confidential friend you meant?

A. Yes.

Q. What

Q. What answer did he give you?

A. He desired I would wait upon Sir Grey Cooper the next morning; I accordingly did. Sir Grey Cooper asked me what articles I dealt in? and I told him: And he further told me, that Mr. Merry was gone to my house to countermand the order.

Q. On what day was this conversation?

A. About two or three months ago, I believe. I am sure it was on a Saturday.

Q. Do you know that Mr. Merry supplied himself with those kinds of goods elsewhere?

A. I have been informed he did; I mean with goods in the haberdashery way.

Q. For what market were those goods intended?

A. I believe for Boston.

Q. Were they for the service of the troops or government?

A. For the troops and the inhabitants.

Q. Have you furnished this sort of goods for the American market before?

A. Yes.

Q. Was not the assortment ordered by Mr. Merry, the usual one for the American market?

A. The assortment was left to me.

Q. Was not the order as usual for the American market?

A. I should have provided them in that manner if the goods had been taken?

Q. What doubts had you concerning Sir Grey Cooper's letters? Did you doubt the authenticity of them?

A. I knew the articles of haberdashery were prohibited?

Q. Did you doubt the authenticity of the letters?

A. No.

Q. Why did Mr. Merry produce the letters to you?

A. To get credit.

Q. How long have you known Mr. Merry?

A. Many years by sight, but never had any dealings with him before.

Q. What is his business?

A. A wine-merchant, I believe.

Q. Was he in such credit that you would have given him credit to any considerable amount?

A. No.

Q. Have you heard that he has had misfortunes?

A. Yes.

Q. What

Q. What was the reason that the order of Mr. Merry was countermanded?

A. I don't know.

Q. Who told you it was countermanded?

A. Sir Grey Cooper.

Withdrew.

Mr. John
Withers.

Mr. John Withers, in the linen trade.

He knows Mr. Merry, but has not known him many months. He was first acquainted with him about six weeks ago.

Q. Has Mr. Merry applied to you for linen goods?

A. Yes.

Q. Did he shew you any letters to induce you to give him credit?

A. He said he had an order from Boston for linen goods, and that he was recommended to me by a friend; and that if I chose to undertake it, I might have the order. I desired to have time to consider of it, as the goods were for Boston. He called on me several times, and I asked him how I was to be paid for the goods? He said I should be paid to my satisfaction; the order was for a considerable sum, upwards of £3000. I did not choose to proceed without further enquiry. In the course of my enquiry, at several different times, he told me it was an order to him for the troops at Boston, that the goods were to be paid for by the treasury, and that for himself he should charge only a commission on them. This information was full satisfaction for me to trust Mr. Merry with the goods to the extent of the order; for I had no doubt but that Mr. Merry would pay me, and others, when he received the money from the treasury.

Q. Who gave you to understand he was employed by the treasury?

A. Mr. Merry told me so?

Q. Was there no paper shewn to you?

A. He shewed me a letter of Sir Grey Cooper's, which was an additional proof of what he had said. From thence, and from what I said before, I believe he really had the order. Some of the goods were shipped, and then the order was countermanded, and those goods that were shipped re-landed, and sent back; but that was after I had refused to let the goods go (understanding the adventure was on Mr. Merry's own account).

Q. Did

Q. Did you receive any compensation for the trouble, &c. of shipping and reshipping the goods?

A. No; that question I asked Mr. Merry, for they were put up in parcels fit for the American trade, and for no other. He said he would make all reasonable satisfaction, and I took the goods back on that assurance.

Q. Did the letter, produced by Mr. Merry, contain any thing to induce you to give him credit?

A. Yes; it strengthened the assurance given, that the treasury were to pay for the goods: I understood it in that light.

Q. Do you recollect the words of the letter?

A. I do not. I read the letter cursorily, but understood from it that those goods were to be paid for in the same manner as the live cattle and the provisions.

Q. Who informed you that they were an adventure of Mr. Merry's own?

A. He himself; and then he gave me a day or two to consider whether I would let them go on this account.

Q. When was that?

A. A day or two after part of the goods were shipped. Withdrew.

Mr. Sampson Bowes, haberdasher.

Mr. Sampson
Bowes.

He knows Mr. Merry; has known him some years, but not intimately till lately.

Q. Did he apply to you for goods for North America?

A. Yes, lately.

Q. To what amount?

A. I believe, if the order had been executed, it would have amounted to four or five thousand pounds: it consisted of fundry articles of haberdashery goods, filk, threads, tapes, buckram, sewing-filk, caps, and cardinals. I can hardly enumerate the articles; in general goods for women's wear and ornament, and also for men.

Q. Did he shew you a letter to induce you to give him credit?

A. Yes.

Q. Was it on account of this letter that you gave him credit?

A. Yes; it was signed by Sir Grey Cooper. There were no goods shipped; they were ready packed. The order was countermanded the day before they were to be shipped. They were entered. I received an order not to go on till further orders, and they were then countermanded: Mr. Merry countermanded them.

Q. On whose account did Mr. Merry say he bought these goods?

A. He said on his own account; the invoice would have been made out in the name of Anthony Merry.

Q. Did he tell you he bought them on commission?

A. I understood he was to derive a commission in the goods from the persons for whom he shipped them, but what I could not tell; and that he had a proper authority for so doing. I thought I should receive my money as soon as he received it from Sir Grey Cooper.

Q. Did he say he had licences from the admiralty?

A. He said he had licences, but from whence I can't say; I understood for those goods.

Q. Was it the usual assortment for the American market?

A. Yes.

Q. Would you have given credit to Mr. Merry to that amount, if you had not understood it would have been paid for by the treasury?

A. Certainly not.

Withdrew.

Mr. Giles
Hudson.

Mr. Giles Hudson, warehouseman.

Deals in woollen cloths; he knows Mr. Merry; has known him about ten or fifteen years.

Q. What business was he of?

A. A wine-merchant.

Q. Was he an American merchant?

A. Not that I know of.

Q. Did Mr. Merry apply to you for woollen drapery goods?

A. Yes, to the amount of £2000, or nearly.

Q. Did you believe he could pay you for those goods on his own account?

A. I have let him have goods to the amount of two or three hundred pounds, and he always paid me very honestly.

Q. Would you have given credit to Mr. Merry for this order on his own account?

A. No.

Q. What inducement had you to give him credit for this order?

A. The strength of his assurance, that the treasury was to pay for them.

Q. Did you see a letter from the treasury to Mr. Merry?

A. Mr. Merry brought me a letter from Sir Grey Cooper, and

and I read it; what the purport of it was I don't remember. I relied on it for the safety of the money.

Withdrew.

Mr. *Ingraham Foster*, ironmonger.

Mr. *Ingraham Foster*.

He knows Mr. Merry.

Q. What business is he?

A. A wine-merchant, and a foreign merchant.

Q. Do you know him to be an American merchant?

A. No. I know he has traded to Newfoundland.

Q. Has he applied to you for goods?

A. Yes.

Q. For what sorts?

A. The assortment was left to me, but he said they were intended for America.

Q. It was then for a general assortment of goods, as usual, for America?

A. Yes.

Q. To what amount was it?

A. It was unlimited.

Q. Did you understand it was for Mr. Merry's own account, or that he was employed by others?

A. I understood it was not on his own account.

Q. Who did you understand was to pay for the goods?

A. I understood government was to pay for them.

Q. Did you see any letter to induce you to think so?

A. I have seen a letter; I believe it was signed by Sir Grey Cooper.

Q. Did it purport that the goods were to be paid for by the treasury?

A. Yes.

Q. Did you read the letter?

A. Yes, and understood so from the letter.

Mr. *Thomas Wooldridge*, a merchant in London.

Mr. *Thomas Wooldridge*.

Q. Has he seen any copy of an entry at the custom-house of goods in the name of J. Christie, jun.

Withdrew.

Called in again.

Q. Have you seen an entry, or authentic copies of an entry, at the custom-house, of goods entered outwards to America, in the name of J. Christie, jun.

A. I saw the original papers left at the custom-house by persons who made the entry, and I have an exact copy of these papers.

Q. Please to deliver in the copy?

March 15.

A. I have only one of Mr. Christie's.
In the Adventure, Hugh Munro, per Boston. James
Christie, jun.

17 Tons nails	20 pieces, quantity 500
30 cwt. wrought iron	yards, linen, value 6d.
30 cwt. gad steel	and not exceeding 18d.
30 cwt. cordage	made of hemp or flax
3 cwt. apothecary	in Great-Britain
3 cwt. pewter	90 pieces, quantity 2630
60 cwt. cheese	yards, check'd or stript
10 cwt. haberdashery	linen, of the breadth of
7 tons of British refined	25 inches, or more,
sugar in loaves, com-	made of hemp or flax
plete and whole, and	in Great-Britain
of one uniform like-	120 dozen felt hats
ness throughout.	82 dozen men's worsted
500 ells British made fail-	hose and caps
cloth	1237 lbs. British made starch
1500 shoes, and wrought lea-	200 small gross of tobacco
ther	pipes, being 1 c. 5lb.
1200 pieces, quantity 40,000	3 hogshheads vinegar
yards, linen, value 6d.	150 pieces British linen
and not exceeding 18d.	158 doz. and 7lb. tallow can-
made of flax or hemp	dles, quantity 1903lb.
in Ireland	

Certain apparel, Irish linen, worsted caps, thread, hose, sta-
tionary, turnery, tin-ware, British snuff, tobacco, mustard,
vinegar, pickles, starch, fig-blue, candles, tongues, corks,
barley, and oatmeal, value £3000.

By licence from the lords commissioners of the ad- } 43
miralty, dated 6th March, 1776. } Sutton.

It is a general assortment of goods for the American mar-
ket, and such as the house which I am concerned in have
often shipped, before the trade was stopt. It is as complete
an assortment as ever we shipped. I have books to prove this
a compleat assortment for the American market, and the va-
lue is about £15,000.

Q. Do you know James Christie, jun?

A. Yes.

Q. Is he a merchant of long standing?

A. He is lately returned from Maryland: his property
there was confiscated the last summer, and he never was a
merchant, or made an entry here, before.

Q. Was his credit considerable in London?

A. I

A. 1776.

D E B A T E S.

57

A. I desire to waive answering that question.

Q. Have these goods been shipped and sent to America?

A. They were shipped. I believe the ship was stopped, the cockpit altered, and the ship is now gone to Halifax or Canada. The insurance on that ship was altered, and leave was given by the insurer to go to Halifax, and then to follow the army to any part of America. There were two other ships in the same situation, that had their policies altered in the same manner: they were altered after the 29th of March, I don't know what day in April.

Q. Do you know of several other entries besides to Mr. Christie?

A. Yes.

Q. Have those goods, shipped under those heads, been re-landed?

A. Yes.

Q. And reshipped again?

A. I believe no goods were re-landed but Mr. Merry's. I don't know whether Mr. Christie's were re-landed or not.

Q. Is it understood in the city of London, that the trade to North America has continued since the prohibitory act was passed?

A. There have considerable cargoes of goods exported since the 15th of March, but all entered for Halifax or Canada.

Q. Are these goods, that are shipped to Halifax, such as may be supposed to be shipped for the use of that province?

A. Several thousand pounds worth more than has been usual. There are several of the ships that were cleared out for Boston, whose cargoes were shipped about the 15th of March, have altered the destination of their voyage, and have now cleared out for Halifax and Canada, with liberty to go to any other port in America.

Q. Does he speak now from the clearance of the ship?

A. I speak from the policies of insurance, not from the clearances from the custom-house.

Q. What do the merchants, formerly trading to Nova Scotia, think of these entries?

A. The first house in London, trading to Halifax, are Watson and Rashleigh. I know that they have represented the matter to Mr. Robinson, complaining of the alteration in the entry of the ships, saying, they had shipped on board goods to the amount of £30,000, or near that sum, which they would not have done, if they had thought it possible the ships cleared out for Boston would have gone to Halifax.

Q. Has

Q. Has he not heard, or does he not believe, that that memorial was not referred to the commissioners of the customs?

A. I believe it was.

Q. What effect had it on the former American merchants, when they heard of the allowing goods to go out on licences after the prohibitory act?

A. I can answer that question only as it affects myself. It occurred to me that these goods would be sold to those persons who owed money to me for former goods, and would pay for those goods with that money that they ought to have paid to me.

Q. Did other merchants complain of that provision?

A. Yes; several.

Q. Did you ever hear Mr. Payne complain of it?

A. Yes, repeatedly.

Q. Mr. Petrie?

A. Yes.

Q. Were they considerable American traders, the persons that had the licences?

A. I heard of none, except Mr. T. Wilkinson, Mr. Harrison, and Mr. Annesley.

Q. Have they any connection with government?

A. I can't say.

Q. Does he know of any American merchant who applied to the admiralty for licences, and were refused?

A. I believe no American merchant would apply for a licence to export goods contrary to law.

Q. Question repeated, as to his knowledge?

A. I don't know of any American merchant that has applied for a licence.

Q. If he thought he could legally have a licence to trade to America, would he not apply for it?

A. I would certainly apply for a licence to trade to America if the ports were open.

Q. Were those goods that are contained in the entries included in the cockets?

A. I have never seen the cockets.

Q. Is it not customary to make a guess entry of goods in cases of free entries?

A. The merchants vary in their mode of entries. When the trade to America is open, the way is to make entries, to cover every thing, and enter in the cocket the true quantity shipped.

Q. Is

Q. Is it not usual, in like matters, to put a value without regard to the real quantities?

A. At the foot of an entry, where no quantity is expressed, it is.

Q. When were the cockets altered that are now to go to Halifax or Canada?

A. I don't know; it might, I believe, have been after the 19th of March, and before the 2d of April.

Q. Does he know, when the trade was open, what quantity of goods were exported to the province of the Massachusetts Bay, on a rough estimate, from the 1st to the 15th of March in any year?

A. There are two seasons of the year in which goods are shipped to the American provinces, called the summer and winter assortments. The spring assortments to Massachusetts Bay alone amount to £120,000.

Q. Does he think, under the licences, as much has been shipped as was usual for the spring assortment to Massachusetts Bay?

A. I believe, from the different ports in Great Britain, more goods have been shipped under these licences than ever were shipped in any one year to Massachusetts Bay.

Q. Does he know that any ships have sailed from Great-Britain to America under licences, except the Renown and the City of London, loaded with any thing but provisions?

A. There are certain ships, I believe, have taken in cargoes under licences, which were afterwards stopped, and have altered the destination of their voyage. Those ships have all the same cargo on board, except those of Mr. Merry, and have leave, by the policy of insurance, to go to any part in America where the King's troops shall be. I said also, that those ships had cleared out for Halifax, and had liberty, by the policy of insurance, to go to Boston, or any other port where the army should be.

Q. Whether any cargoes, except provisions, have actually gone out, by virtue of licences, in more than two ships.

A. I know of three other ships that have licences; they have received their cargo, and cleared out: whether they are stopped or not I can't say, but I believe they have their goods still on board, and are gone to some other port.

Q. What are the names of those ships?

A. The Mentor, the Le Soye Planter, and the Jameson and Peggy.

Q. Did

Q. Did those ships carry out cargoes equal to the amount of the whole yearly exportation to the Massachusetts Bay?

A. No; the different ships which have sailed from this and other ports, whether with or without licences, have taken on board about £200,000 and upwards: it will be impossible for me to make the distinction, whether the ships were employed in the King's service or not; that the goods are taken is all I can say.

Q. Whether the goods comprized in the schedule of the licences granted, were not equal in value to the whole exportation to the Massachusetts Bay for a year?

A. I think they amount to a great deal more.

Q. Can you speak as to the quantities licenced? Have you seen the licences?

A. I have seen many of them.

Q. Do those which you have seen amount to that?

A. I believe to a great deal more.

Q. Have you computed them?

A. Yes, several.

Q. Have you heard that large quantities of goods have been sent in the Jameson and Peggy in the King's service?

A. Yes.

Q. Is it generally thought that the transports generally take out a great deal of merchandize?

A. I believe a great quantity of goods are gone out in all the transports.

Q. Do you know it of your own knowledge?

A. I have seen several large packages in warehouses in London, that were to be shipped on board ships bound to America, which I understood were in the King's service.

Q. Whether any increase of the exportation of goods to America, is not an advantage to the trade of Great Britain?

A. Certainly.

Q. Whether if any step was taken to prevent goods being exported to Halifax, because it would interfere with the interests of those who before had a monopoly, would it not be considered by the merchants of England as injurious to trade?

A. I believe that if the goods exported to Halifax and which were intended only to have gone to Boston, had been openly and fairly entered out for Halifax, that the merchants concerned in that trade would not have risked in the present moment 30,000l. of their property; and so far am I from believing that the persons concerned in that trade look on it as a monopoly, that I have every reason to believe that the cargoes

cargoes now gone, and which were originally intended for that part, is looked upon by them, and every fair trader, as the foundation of a monopoly for persons not concerned in a fair trade.

Q. Whether exporting under Admiralty licences is the best way to prevent a monopoly?

A. I think the reverse.

Q. Did you ever hear of a monopoly in the trade to Halifax?

A. Not till these new adventurers.

Q. Do you think the prohibitory act was meant to increase the exportation of manufactures to North America?

A. I can answer that as an individual. Before the prohibitory act was passed our house exported 70,000l. worth *per annum*, since that, not 70s. worth.

Withdrew.

Motion made and question put, that the chairman do now report a progress, and ask leave to sit again.

The committee divided.

Ays, to the right. Noes, to the left.

Teller for Ayes, Teller for Noes,

Mr. T. Townshend. Mr. Robinson.

Ayes 38 } so it passed in the negative.
Noes 115 }

Mr. Edward Payne.

Q. Did you make any application to Lord North relative to licences granted by the Admiralty? Mr. Edward Payne

A. At a meeting we had of our trade, relative to our applying to Lord North in regard to extending the time for allowing the draw-back on East-India goods, going out of time soon, and the trade in general being loaded with a great quantity of East-India goods; on representing our situation to Lord North, he immediately said he saw no objection to it; in consequence of which, a bill is now depending, to get us that request for two years longer; after that, I had been desired by some gentlemen in the trade, to mention to his Lordship the affair of the licences, the trade being much alarmed when they heard of the great quantities of goods preparing for exportation to America, by gentlemen not usually concerned in the trade, whilst we who had been many years in the trade, were loaded with a great quantity of goods for which we could not find a market in consequence of the prohibitory act. I entered into several particulars relating to what I had heard; Lord North replied to me, that orders

were already given to withdraw those licences. When I returned into the city, I saw several cart-loads of goods unloading in Cheapside, which I knew had been shipped in consequence of those licences.

Q. Do you remember any other particulars of this conversation?

A. I might mention to his Lordship the names of the persons having the licences, but that was the chief of the conversation which I have before mentioned.

Q. Did that measure in general give offence to the merchants concerned in the North American trade?

A. To be sure they thought it a hardship that such licences should be granted under that act which we thought prohibited all commerce.

Q. Did that uneasiness arise from factious motives?

A. Not on my own part, or on the part of those with whom I am concerned, but merely from the apprehension of the consequences.

Q. Did Lord North make any excuse or apology, or shew any reason why those licences had been granted?

A. Lord North read the act of Parliament when I was with him, which he took out of my hand; he thought the affair had gone too far.

Q. Was there any conversation about nails being exported?

A. I believe I said iron ware could not be exported under the article of provisions.

Withdrew.

Motion made and question put, that the chairman do now report a progress, and ask leave to sit again.

The committee divided.

Ayes, to the right.

Noes, to the left.

Teller for the Ayes,

Teller for the Noes,

Mr. Turner.

Mr. Penton.

Ayes 32

Noes 110

} so it passed in the negative.

Lord Barrington.

Lord Barrington (in his place.)

Q. How came the Jameson and Peggy to be taken up in his Majesty's service?

A. I had wrote to General Howe in several letters, to let me know what things were necessary for the army; General Howe acquainted me he had accordingly sent over Mr. Anderson from Boston, who was to take care of necessaries which were to be provided for the army, and to carry them back with

with him. He sent me a paper of the names of all the regiments and against those names were placed the persons who were to provide those necessaries, some to be provided by the agents and others by Mr. Anderson: but I understood Anderson was to take care of the whole and to carry back the necessaries to Boston, whether provided by himself or by the agents. I don't know but that there were other regiments to be provided by other people. Anderson applied for a ship to carry the necessaries to Boston. I wrote to Lord George Germain for a transport for that purpose; a transport was ordered accordingly, which was the *Jameson* and *Peggy*.

Q. Who hired her?

A. I don't know.

Q. For what purpose could sheeting and mercery be bought for the regiments?

A. The necessaries are not sheeting, but shirts, shoes stockings, &c. furnished by the colonels and by the men's stoppages. The year before, General Gage sent over one Coffin for the same purpose; the bargain was, that Coffin should bring them out and sell them at prime cost. I suppose General Howe made the same bargain with Anderson.

Q. Did Coffin comply with his engagement?

A. I never heard his engagements were not performed. If it was not for something of this kind, the men could not have had necessaries at all, or at an enormous price. I can't tell what number of recruits went in that ship. I know nothing more of the transaction than what I have now mentioned. I don't know the amount of the cargo; Anderson carried the invoice to the Admiralty.

Q. Does Lord Barrington think 6000*l.* worth of tea a necessary article for the army?

A. Not one ounce.

Q. Does Lord Barrington think calicoes and merceries to the amount of 2500*l.* can be considered as stores and necessaries for soldiers?

A. Certainly not.

Q. Is not 8000*l.* worth of linen too great a proportion for the troops at Boston?

A. I have made no calculation.

Q. Was any bond taken from Mr. Anderson to deliver those goods to the commanding officer?

A. Not to me; whether he gave such a bond to any other person, I can't tell.

Q. Have you read the specification of the licence of the Jamefon and Peggy?

A. No.

Q. Did General Howe specify the articles necessary?

A. There were no articles specified.

Q. Did General Howe give a large and general commiffion for an affortment of American goods without specifying any?

A. All that bufinefs paffed between General Howe and Mr. Anderfon, I only faw the paper I have mentioned, in which were two columns, in one of which was mentioned camp equipage for the officers; and in the other, neceffaries for the men; every thing with refpect to the quantities was fettled between General Howe and Mr. Anderfon, and fo the year before by General Gage undoubtedly; a great deal of thofe articles could not be deemed camp equipage for the officers or neceffaries for the men, and I certainly applied for a fhip to carry neceffaries and nothing elfe.

Withdrew.

Mr. Abel.

Mr. Abel, merchant, to prove the cargo of the fhip City of London.

A. I fhipped the cargo of the fhip City of London, by order of Mr. Charles Mackenzie, who obtained the licence. We bought a fhip for that purpofe. I was concerned in the fhip, but not in the cargo; the cargo was on account of Mr. Mackenzie. [*The fchedule fhewn to him.*] Thofe goods were fhipped. I can't fay whether this is a true copy of the licence. I think in the licence fome of the articles were fpecified.

Q. What quantity of hofiery, linen, and grocery was there?

A. The cargo amounted to about 15,000l. the greateft part was provifions, low-priced linens, and coarfe cloths, porter and Britifh fpirits.

Q. Was there a quantity of drugs?

A. A few drugs.

Q. Were there twenty or thirty boxes of foap?

A. Not to my knowledge, Mr. Mackenzie fhipped fome articles which I don't remember.

Q. Was there 2800 pieces of glafs?

A. I can't fay as to the quantity.

Q. Were there 27 pieces of demi-cambrick?

A. I believe there might be fome cambricks, but I can't fpeak as to the quantity.

Q. Was there 7765 yards of linen?

A. I

A. I can't say exactly, but I believe thereabouts : there was but a small quantity of tea.

Q. Was there a quantity of cards ?

A. There might be a very small quantity, but I don't recollect any. [*A paper shewn him but not delivered in at the table.*]

Q. Do you believe that to be an exact account of the cargo ?

A. I remember many of these articles, but I can't speak to particulars.

Q. Do you apprehend it to be a true account ?

A. I can't say any such thing.

Q. Do you believe this to be the searcher's account ?

A. I don't know ; it is impossible to carry the invoice in my head.

Withdrew.

Mr. Richard Watlington.

Mr. Richard
Watlington.

Q. Did you ship the cargo of the ship Pallas ?

A. Yes, on my own account.

Q. Did you obtain the licence at the Admiralty ?

A. I had a licence from the Admiralty. I was informed at the Custom-house that there was a demur about the other licences, and mine was sent back to the Treasury among the rest.

Q. Was it stopped ?

A. No, the ship was not stopped ; I could not get another licence, so I made a fresh entry and cleared out for Halifax. The cargo consisted of hosiery, grocery, linens and provisions ; linens to the amount of 1800l. shirts, shifts, and shoes to the amount of 2000l. The stores were not for the king, but on my own account. Wrought iron, knives and forks, were entered under this article 50l ; gold lace, 500l ; silk handkerchiefs, cravats and ribbons, 600 or 700l ; haberdashery, thread, needles, and tape, about 150 or 200l ; drugs, 200l ; stationary, about 100l ; the cargo in general consisted of such things.

Q. To what amount ?

A. To 16,000l. the whole on my own account.

Q. Have you ever been in the American trade before ?

A. No.

Q. Did you apply to the Admiralty for a licence ?

A. Yes.

Q. Did you state those goods as stores for the King's service ?

A. I

A. I said in my letter for the use of his Majesty's navy and army, and they were intended as such.

Q. Was you employed by the King's servants?

A. By nobody.

Q. How could you get the entries altered from Boston to Halifax?

A. According to the usual mode at the Custom-house, by applying to the commissioners and solicitor.

Q. Have you not had a contract with government to supply wine?

A. I never had a contract in my life.

Withdrew.

Mr. Hodgson being called to prove that china had been sent to America, the committee was informed he was gone out of town, but that Mr. *Baynard Donaldson* his partner attended, who was called in.

Mr. Bay-
nard Do-
naldson.

We keep a china warehouse. We have not shipped any china for Boston, but we have for Nova Scotia, by the Joseph and Judith; none to Boston for these twelve months past.

Withdrew.

Question put, to report a progress now, and ask leave to sit again.

It passed in the negative.

Motion made and question proposed, that it is the opinion of this committee, that several licences have been granted by the commissioners of the Admiralty to ships bound for Boston and other parts of North America, since the passing of the act "to prohibit all trade and intercourse with the colonies therein mentioned, during the continuance of the present rebellion within the said colonies," which were too general, and were not warranted by the proviso in the said act of Parliament giving the power to grant such licences, but were contrary thereto;---But the question being moved and put, that the chairman do now leave the chair; the committee divided.

Ayes, to the right.

Noes, to the left.

Teller for Ayes,

Teller for Noes,

Sir J. Irwine.

The Lord Mayor of London.

Ayes 105 } so it was resolved in the affirmative, and the
Noes 31 } committee was broke up.

Lord North. In a short debate on the motion, Lord North said nothing had come out that was worthy the attention of the House.

Mr. Dunning. Mr. Dunning said, his Lordship was eager to shut the door against enquiry. But however the House might support his

Lord-

Lordship in the favourite scheme of war upon America, he hoped they would not sacrifice their honour upon the present business.

Governor *Johnstone* affirmed, that the whole proceedings, Governor taken together, were the most flagitious and iniquitous he *Johnstone* had ever heard of. Papers had been kept back under false pretences, evidences were ordered out of town that they might not give their testimony when called upon, and, in short, he had no doubt the matter was thus planned on purpose to defeat all enquiry.

Lord *North* said, the papers could not be got ready which *Ld. North* Mr. Stanley had proved; and as to Mr. Merry's being out of the way, he had been gone to Milford above ten days, and another person who had been ordered to attend was gone to York. He admitted, he said, that Merry had abused his powers.

Mr. *Burke* said, that by the excuse made for Merry's ab- *Mr. Burke* fence, it was a sure sign he had not incurred the least displeasure of the treasury by what he had formerly done, and that he was now at Milford buying cattle for government; and another person, it was confessed, was gone to York; no man knew why, unless to avoid being examined.

[On the 22d of May the remainder of the papers were presented; but not to divide the subject, we shall insert them here. There was no debate upon them.]

Copy of a Warrant from the Lords Commissioners of his Majesty's Treasury, dated the 27th of December, 1775.

Whitehall, Treasury-Chambers.

AFTER our hearty commendations: Whereas the lords commissioners of the admiralty have represented unto us, that the commissioners for victualling the navy, in pursuance of the orders they were under to contract for forty thousand gallons of rum, have agreed with Mr. Richard Shaw, of Bristol, for the said quantity, but that being bonded in warehouses there, he cannot deliver it to them; and the said lords commissioners have desired, that orders may be given for the permitting the said quantity of rum to be removed from Bristol into his Majesty's victualling stores in the port of London, free of duty, and to be kept under the keys of the excise and customs, until his Majesty's service requires it to be issued: We, upon consideration of the premises, do hereby direct

direct you to give the necessary orders to your officers accordingly; and for so doing, this shall be your warrant.

NORTH.

To our very loving friends the Commissioners of his Majesty's Customs.

GEO. ONSLOW.

C. W. CORNWALL.

40,000 gallons of rum, to be removed from Bristol to London, duty free.

Copy of a Warrant from the Lords Commissioners of his Majesty's Treasury, dated the 11th of January, 1776.

Whitehall, Treasury-Chambers.

AFTER our hearty commendations: Whereas the lords commissioners of the admiralty have represented unto us, that they have ordered the commissioners for victualling the navy to purchase two hundred thousand gallons of rum to be delivered into his Majesty's victualling stores in the port of London; and the said lords commissioners have desired, that orders may be given for permitting the said quantity of rum to be delivered into the said victualling stores accordingly, free of duty, and to be kept under the keys of the excise and customs, until his Majesty's service may require the same being issued: We, upon consideration of the premises, do hereby direct you to give the necessary orders to your officers accordingly; and for so doing, this shall be your warrant.

NORTH.

To our very loving friends the Commissioners of his Majesty's Customs.

GEO. ONSLOW.

C. W. CORNWALL.

200,0000 gallons of rum, to be delivered in the port of London, duty free.

Copy of a Letter from Mr. Jackson to Mr. Stanley, dated the 12th of January, 1776.

SIR,

Admiralty-Office.

AN act of Parliament having passed this session, to prohibit all trade and intercourse with the several colonies of North America therein named, during the continuance of the present rebellion within those colonies, in a clause, page 217, of which act it is declared, that nothing therein contained shall extend, or be continued to extend, to the ships and vessels there described, whose masters shall produce a licence from any lords commissioners of the admiralty for the purposes there specified, my lords directed Mr. Seddon, their solicitor, to consider and propose to them the form of the licence which it may be proper for them to give, under the

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above circumstances; and he having transmitted to their lordships such a form of a licence as he apprehends will correspond with the intent of the act, I send you, by their direction, a copy of the said licence, for the information of the commissioners of the customs, and am to desire they will please to acquaint their lordships what may be the best and most concise mode by which to govern themselves, concerning the particulars to be inserted in such licences. I am, Sir,

Your most humble servant,
(Signed) GEO. JACKSON, D. S.

By his Majesty's Commissioners for executing the office of Lord High Admiral of Great-Britain, &c.

BY virtue, and in pursuance of an act of Parliament, made and passed in the 16th year of his present Majesty King George the Third, [intituled, "An act to prohibit all trade and intercourse with the colonies of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, during the continuance of the present rebellion within the said counties respectively, for repealing an act made in the 14th year of the reign of his present Majesty, to discontinue the landing and discharging lading, or shipping of goods, wares, and merchandize, at the town, and within the harbour, of Boston, in the province of Massachusetts Bay. And also two acts, made in the last session of Parliament, for restraining the trade and commerce of the Colonies, in the said acts respectively mentioned. And to enable any person or persons, appointed and authorized by his Majesty to grant pardons, to issue proclamations, in the cases and for the purposes therein mentioned."] We whose hands and seals are hereunto set, three of the commissioners for executing the office of lord high admiral of Great-Britain for the time now being, do hereby licence, authorize, and permit, A. B. master of the ship [brig, sloop, &c. as the case may be] or vessel, called - - - of the burthen of - - - tons, to proceed and sail with his said ship [brig, &c.] or vessel, and cargo, consisting of - - - on a voyage from the port of London [or other port, as the case may be] to - - - in - - - and not elsewhere; and there to unload and deliver the cargo above specified, and to return from thence with his said ship and vessel to some port in Great-Britain or Ireland. Provided

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vided nevertheless, that this present licence shall subsist, and be in force, from the day of the date hereof, until the - - - - day of - - - - and no longer. Given under our hands and seals, this - - - - day of - - - - 1776.

To all Flag-Officers, Captains, Commanders, and other commissioned Officers in his Majesty's pay: and also to all others whom these presents shall or may concern.

Note.—If any goods, wares, or merchandize, other than stores and provisions for his Majesty's use, or provisions for the use of the inhabitants of any town or place garrisoned and possessed by his Majesty's troops, shall be found on board any licensed ship; or if the cargoes shall not correspond with the particulars specified in the bodies of the respective licences (the necessary stores for the ship's use, and the baggage of the passengers, only excepted) in either of these cases the said goods, wares, &c. shall be forfeited, seized, and prosecuted, as the said act directs.

Copy of a Letter from Mr. Jackson to Mr. Stanley, dated the 15th of January, 1776.

SIR,

Admiralty-Office.

I am commanded by my lords commissioners of the admiralty to acquaint you, that several applications being now made for licences for ships to clear out for North America, their lordships therefore will be glad to be favoured with an answer to what is mentioned in my letter of the 12th inst. respecting such licences. I am, Sir,

Your most humble servant,

Mr. Stanley.

(Signed) GEO. JACKSON, D. S.

Copy of a Letter from Mr. Stanley to Mr. Jackson, signifying what the Commissioners apprehend will be the best and most concise mode concerning the particulars to be inserted in the Licences, prepared in consequence of the Act prohibiting all trade, &c. with the American Colonies, dated 17th of January, 1776.

SIR,

Custom-House, London.

I HAVE laid before the board your letter of the 12th instant, transmitting the form of a licence which has been prepared by Mr. Seddon, in consequence of the act passed this session, prohibiting all trade and intercourse with the American colonies therein named, and signifying their lordships' desire that this board will acquaint them what may be

the best and most concise mode concerning the particulars to be inserted in such licences.

I am directed to acquaint you, that the commissioners apprehend the particulars of the stores and goods can only be furnished by the navy board, or such other publick offices as from time to time may have occasion to ship goods or stores for his Majesty's service, or by such private persons as may be under contract with government, or be employed for that purpose; and that when the licences shall be completed and issued, the board will give the strictest injunctions to their officers for the immediate entering and clearing of the ships and goods, that his Majesty's service may not be impeded. I am, &c.

Geo. Jackson, Esq.

(Signed)

EDW. STANLEY.

Mr. Robinson incloses Copies of Forms and Licences to be granted by the Board of Admiralty to Ships and Vessels trading to America, under the Exceptions of the last Act of Parliament, dated the 24th of January, 1776.

GENTLEMEN,

Treasury-Chambers.

I AM commanded by my lords commissioners of his Majesty's treasury to transmit to you the inclosed forms of licences, to be granted by the board of admiralty to ships and vessels trading to America, under the exceptions in the act of the present session of Parliament, in order that you may guide yourselves accordingly. I am, Gentlemen,

Commissioners of
the Customs.

Your most humble servant,

JOHN ROBINSON.

By the Commissioners for executing the Office of Lord High Admiral of Great-Britain and Ireland, &c.

IN pursuance of an act passed in the present session of Parliament, entitled, "An act to prohibit all trade and intercourse with the several Colonies therein mentioned." we do hereby authorize, license, and permit, - - - master of the ship - - of the burthen of - - - to proceed with the said ship and cargo, consisting of the particulars specified in the schedule annexed, from the port of - - - to the port of - - - there to unload and deliver the said cargo, and to return from thence with his said ship to Great-Britain or Ireland. This licence to subsist and be in force from the day of the date hereof, until her return as afore-

said. Given under our hands, and the seal of the office of admiralty, the - - day of - -
To all Flag-Officers, Captains, Commanders, and other commissioned Officers in his Majesty's pay; and also to all others whom these presents shall or may concern.

By command of their Lordships.

By the Commissioners for executing the Office of Lord High Admiral of Great-Britain and Ireland, &c.

IN pursuance of an act passed in the present session of Parliament, entitled, "An act to prohibit all trade and intercourse with the several colonies in North America therein mentioned," we do hereby license, authorize, and permit, - - - master of the ship - - - of the burthen of - - - being a transport employed in his Majesty's service, to proceed in his said ship to some port or ports in North America, and to return from thence with his said ship to Great-Britain or Ireland: this licence to subsist and be in force from the day of the date hereof, until the - - day of - - - or for so long as she shall be employed in his Majesty's service as aforesaid. Given under our hands, and the seal of the office of admiralty, the - - - day of 1776.

To all Flag-Officers, Captains, Commanders, and other commissioned Officers in his Majesty's pay; and also to all others whom these Presents shall or may concern.

By command of their Lordships.

Copy of the Minute of the Board of Customs, dated the 26th of January, 1776.

RECEIVED a letter from Mr. Robinson, of the 24th instant, transmitting, by order of the lords of the treasury, copies of the forms of licences to be granted by the board of admiralty to ships and vessels trading to America, under the exceptions in the act of the present session of Parliament, in order that the commissioners may guide themselves accordingly: the same is to be signified to the bench-officers for their government.

Copy of a Warrant from the Lords Commissioners of his Majesty's Treasury, dated the 22d of February, 1776.

Whitehall, Treasury-Chambers.

AFTER our hearty commendations: Whereas the lords commissioners of the admiralty have represented unto us, that

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that the commissioners for victualling the navy have been directed to purchase of Mr. James Benson fifty thousand gallons of West-India rum, to be delivered at Corke, for the service of his Majesty's ships or transports that may be at that place; and the said lords commissioners have desired, that the said quantity of rum may be delivered, duty free, to the order of the commissioners of his Majesty's victualling for the service above-mentioned: We, upon consideration of the premises, do hereby direct you to give the necessary orders to your officers accordingly; and for so doing, this shall be your warrant.

To our very loving friends the Commissioners of his Majesty's Customs.

50,000 gallons West-India rum, to be delivered at Corke, duty free, for the use of the victualling-ships.

NORTH.

GEO. ONSLOW.

C. TOWNSHEND.

Copy of a Warrant from the Lords Commissioners of his Majesty's Treasury, dated the 27th of February, 1776.

Whitehall, Treasury-Chambers.

AFTER our hearty commendations: Whereas the lords commissioners of the admiralty have represented unto us, that the commissioners for victualling the navy have informed them, that Mr. Robert Grant, who has their orders to procure provisions for the victualling such transports as may be fitted out at Glasgow to carry troops to North America, has, in order to guard against every chance of disappointment, desired them to procure leave for him to send two hundred puncheons of bonded rum, containing about one hundred and twenty gallons each, from Liverpool to Glasgow; and the said lords commissioners have desired that leave may be given for the said Robert Grant to send from Liverpool to Glasgow the said quantity of rum, duty free, for the service before-mentioned: We, upon consideration of the premises, do hereby direct you to give the necessary directions to your officers accordingly; and for so doing, this shall be your warrant.

NORTH.

C. TOWNSHEND.

C. W. CORNWALL.

To our very loving friends the Commissioners of his Majesty's Customs.

Mr. Robert Grant to send rum, duty free, from Liverpool to Glasgow.

Copy

Copy of a Warrant from the Lords Commissioners of his Majesty's Treasury, dated the 8th of March, 1776.

Whitehall, Treasury-Chambers.

AFTER our hearty commendations: Whereas the lords commissioners of the admiralty have represented unto us, that they have respectively shipped in a vessel, the City of London, and other vessels licensed by the lords commissioners of the admiralty, fundry goods for the use of the forces at Boston, for which, according to the late act of Parliament, they cannot receive the usual bounties and drawbacks, unless we shall grant our warrant for that purpose: and we having taken the same into consideration, do hereby (upon the special circumstances of the case) authorize and direct you to allow and pay such bounties and drawbacks upon the said goods, destined for the use of the forces at Boston as aforesaid; and for so doing, this shall be your warrant.

NORTH.

GEO. ONSLOW.

C. W. CORNWALL.

To our very loving Friends the Commissioners of his Majesty's Customs.

Messrs. Smith and Mackenzie to be allowed bounties and drawbacks upon goods destined for the use of the forces at Boston.

Copy of Minutes of the Board of Customs, dated the 12th of March, 1776.

RECEIVED a treasury warrant, of the 8th instant, signifying, that Samuel Smith and Charles Mackenzie have represented unto their lordships, that they have respectively ship'd in a vessel, called the City of London, and other vessels, licensed by the lords commissioners of the admiralty, fundry goods for the use of the forces at Boston, for which, according to the late act of Parliament, they cannot receive the usual bounties and drawbacks, unless the lords of the treasury shall grant their warrant for that purpose; and that their lordships having taken the same into consideration, do, upon the special circumstances of the case, authorize and direct the commissioners to allow and pay such bounties and drawbacks upon the said goods, destined for the use of the forces at Boston as aforesaid: the same is to be signified to the bench-officers and searchers, who are to yield all due obedience to their lordships' orders accordingly.

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Copy of a Letter from Mr. Robinson, about the Licences granted to the within Ships, and that the Specification of the Cargoes of them are too general, dated the 15th of March, 1776.

GENTLEMEN,

Treasury-Chambers.

THE lords commissioners of his Majesty's treasury having taken into consideration a letter from Mr. Jackson, secretary to the lords commissioners of the admiralty, stating, that application had been made to the lords of the admiralty for licences to be granted to ships going to North America; and having read the specifications of the cargoes of the ships Resolution, the Daniel, the Brunswick, and the City of London; and also the act passed in the present session of Parliament, for prohibiting all trade and intercourse with several colonies in America, their lordships are of opinion, that the specifications for the ships Resolution, the Daniel, the Brunswick, and the City of London, are too general, tend to open trade with North America, and are not warranted by the proviso in the act of Parliament, giving the power to grant such licences, but are contrary thereto, with which I have, by their lordships' orders, acquainted Mr. Jackson, for the information of the lords of the admiralty, and I am directed to acquaint you therewith for your government.

I am, Gentlemen,

Your most humble servant,

Commissioners of the Customs,

JOHN ROBINSON.

Copy of a Letter from Mr. Jackson to Mr. Stanley, dated the 15th of March, 1776.

SIR,

Admiralty-Office.

SEVERAL of the licences, which have been granted by my lords commissioners of the admiralty to ships to go to North America, having been passed, owing to the hurry of business, before the particulars therein specified could be properly examined into; and their lordships apprehending from thence, that some of the enumerated articles may not be strictly conformable to the act of Parliament, I am commanded by their lordships to desire the commissioners of the customs will be pleased to order their officers to stop all such licences where it can be done, and that you will take the trouble to transmit the same to this office, for their lordships' further directions: and on the other side you will receive the names of all the merchant-ships for which their lordships' licence has been granted. I am, &c.

Edward Stanley, Esq.

(Signed)

GEO. JACKSON, D. S.

Date

<i>Date of Licence.</i>	<i>Ships Names.</i>	<i>From what Port.</i>
Feb. 1.	Industry -	Liverpool
3.	Renown -	London, cleared
March 4, 1776.		
5.	Endeavour -	Mogadore
5.	Providence -	Mogadore
5.	Katty -	Glasgow
14.	Christian -	Waterford
16.	Le Soye Planter -	London
12.	City of London -	London
20.	Mentor -	London
20.	Lukey -	Malaga
21.	Jean and Sally -	Air and Cork
21.	Friendship -	Air and Cork
28.	Friendship (2d) -	Air
March 6.	Adventure -	London
Feb. 28.	Jean -	Grenock and Cork
28.	Juno -	Grenock
March 6.	Pallas -	London
6.	Lord Rochford -	Ditto
6.	Jameson and Peggy -	Ditto
7.	Resolution -	Ditto
12.	Friendship (3d) -	Air
12.	Jean -	Grenock and Cork

Copy of a Minute of the Board of Customs, dated the 19th of March, 1776.

THE lords of the treasury having, by Mr. Robinson's letter of the 15th instant, signified, that their lordships have taken into consideration a letter from Mr. Jackson, secretary to the lords of the admiralty, stating, that application had been made for licences to be granted to ships going to North America: and having read the specifications of the cargoes of the ships Resolution, the Daniel, the Brunswick, and the City of London; and also the act passed in the present session of Parliament, for prohibiting all trade and intercourse with several colonies in America, their lordships are of opinion, that the specification for the ships Resolution, the Daniel, the Brunswick, and the City of London, are too general, tend to open trade with North America, and are not warranted by the proviso in the act of Parliament, giving the power to grant such licences, but are contrary thereto. And the lords of the admiralty having, by their secretary's letter of the 15th instant to this board, desired, that

that the licences granted for the ships therein mentioned may be stopt where it can be done, and transmitted to their lordships. The board direct, that when the licences for any of the said ships are produced the same be stopt, and returned to the admiralty accordingly. And letters were sent to the out-ports by last Saturday's post, directing returns to be made of all such ships and vessels for which licences have been granted by the lords of the admiralty, to ship provisions for the use of his Majesty's fleets, armies, or garrisons, or for the use of the inhabitants of any town or place garrisoned or possessed by any of his Majesty's troops, with a particular specification of each ship's cargo; and in future to transmit to the board the like account previous to the ships and vessels being cleared out.

Copy of a Warrant from the Lords Commissioners of his Majesty's Treasury, dated the 20th of March, 1776.

Whitehall Treasury-Chambers.

AFTER our hearty commendations; Whereas the lords commissioners of the admiralty have represented unto us, that they have directed the commissioners for victualling his Majesty's navy to purchase 182,000 gallons of rum, for the service of his Majesty's ships in North America; and the said commissioners for victualling his Majesty's navy have desired permission to purchase ninety-one thousand gallons of West India rum, part of the aforementioned quantity, to be delivered, duty free, into his Majesty's victualling stores at the port of London: We, upon consideration of the premises, do hereby direct you to give the necessary orders to your officers accordingly; and for so doing, this shall be your warrant.

C. TOWNSHEND.

BEAUCHAMP.

C. W. CORNWALL.

To our very loving Friends the Commissioners of his Majesty's Customs,

91,000 gallons of rum, to be delivered, duty free, in the port of London, for the service of his Majesty's ships in North America.

Mr. Stanley returns the Licence granted to Mr. Maclean, master of the Ship Pallas, bound to Boston, dated the 20th of March, 1776.

SIR,

Custom-House, London.

MR. MACLEAN, master of the ship Pallas, bound for Boston, in North America, having produced to the commis-

tioners a licence under the hands of the lords commissioners of the admiralty, authorizing the several goods, mentioned on the back thereof, to be shipped, and the ship to proceed on her voyage; I have the board's directions herewith to return the same, agreeably to your letter of the 15th instant, and to desire you will signify to me, whether the said licence is to be carried into execution. I am, &c.

George Jackson, Esq.

(Signed) EDW. STANLEY.

Copy of the Minute of the Board of Customs, dated 29th of March, 1776.

RECEIVED an order of the House of Lords, dated the 27th instant, directing, that the commissioners do lay before the said House true copies of all licences granted by the lords commissioners of the admiralty, for exporting provisions, or other things, to America, which have been presented to the custom-house since the passing of the act of the present session; and also true copies of all entries which have been made by virtue of such licences. The searchers are immediately to prepare and lay before the board an account of the quantities of the goods which have been ship'd by virtue of such licences accordingly; and the bench-officers are to draw out copies of the entries as above, and to lay the same before the board without delay.

Copy of Minute of the Board of Customs, dated the 29th of March, 1776.

THE secretary laid before the board a letter from Mr. Jackson, secretary to the lords of the admiralty, of this day's date, desiring to be furnished with an account of the names of the ships whose licences granted have appeared at the custom-house, and which have been permitted to an entry in consequence thereof. The collector outwards, and his comptroller, are to lay such account before the board accordingly.

Copy of a Letter from Mr. Jackson to Mr. Stanley, dated the 29th of March, 1776.

SIR,

Admiralty-Office.

THE House of Lords having directed, by a precept dated the 27th instant, that the commissioners of the customs do lay before that House true copies of all licences granted by my lords commissioners of the admiralty for exporting provisions, or other things, to North America, which have been

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been presented at the custom-house since the passing of an act, intituled, "An act to prohibit all trade and intercourse with the colonies of New Hampshire, &c." and also true copies of all entries which have been made by virtue of such licences, I am commanded by my lords commissioners of the admiralty, to desire you will please to move the board of customs for an account of the names of the ships whose licences, granted as aforementioned, have appeared at their office, and which have been permitted to an entry in consequence thereof. I am, Sir,

Your most humble servant,

GEO. JACKSON, D. S.

Edward Stanley, Esq. Custom-House.

Mr. Stanley transmitting an account of Ships entered for any part of North America; as also an account of Goods shipped, in pursuance of Licences from the Admiralty, dated the 29th of March, 1776.

SIR,

Custom-House, London.

THE proper officers having, by the board's direction, prepared the following accounts, agreeably to the desire of the lords commissioners of the admiralty, signified by your letter of this day's date:

"An account of ships which have been entered in the port of London for any part of North America, under licences granted by the lords commissioners of the admiralty, pursuant to the act of the present session."

"An account of the quantities of goods ship'd, in pursuance of licences granted by the lords commissioners of the admiralty for exporting provisions, and other things, to America."

I have the board's orders herewith to transmit the said accounts to you, for the information of their lordships.

I am, Sir, yours, &c.

George Jackson, Esq.

(Signed) EDW. STANLEY.

A List of Ships which have been entered for any Part of North America, under Licences granted by the Lords of the Admiralty, pursuant to the Act of the present Session.

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Port of London.

Feb. 9. The Renown, John Kean, per Boston.

19. Le Soye Planter, William Smith, per ditto.

22. The Mentor, William Davis, per ditto.

26. The City of London, John Mc. Fadzen, per ditto.

M 2

Feb.

- Feb. 28. The Pallas, Henry M^c Lachlan, *per ditto*.
 March 7. The Jamefon and Peggy, Ja. Patterson, *per ditto*.
 8. The Resolution, Edm. Hawker, *per ditto*.
 15. The Adventure, Hugh Munro, *per ditto*.
 20. The Lord Rochford, Ja. Lambert, *per ditto*.

J. PARCELL, D. Coll.

J. HUME, D. Comp.

Memorandum.—The licences do not remain at the custom-house, but are granted to the master, for the security of the ship on her voyage.

An Account of the Goods actually shipped by the Searchers in the Port of London on board the Ships Pallas, Mentor, Le Soye Planter, Jamefon and Peggy, City of London, Adventure, and Renown, in pursuance of Licences from the Lords Commissioners of the Admiralty.

Port of } Ship Pallas, H. Mc. Lachlan, Master, bound to
 London. } Boston.

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Richard Watlington. 10 Barrels, q. 11cwt. 13lb. figs; 9 barrels, q. 21cwt. 1qr. 27lb. currants; 6 barrels, q. 11cwt. Smyrna raisons; 1 barrel, q. 2cwt. 10lb. sweet almonds; 10 boxes, q. 2cwt. 1qr. 7lb. raisons solis; 3 boxes, q. 1cwt. 3qrs. 10lb. French prunes; 3 barrels, q. 5cwt. 3qrs. 16lb. French prunes. March 15.

Ditto. 4 Bales, q. 27cwt. 2qrs. 27lb. ells of drilling. March 19.

Ditto. 2 Trunks, q. 1cwt. haberdashery; 31lb. gold lace; 59lb. silver lace. March 19.

Ditto. 1 Case, q. 105lb. sewing silk; 1cwt. haberdashery. March 20.

Ditto. 70 Hogsheads, q. 212cwt. 1qr. 19lb. British refined sugar in loaves. March 9.

Ditto. 30 Barrels, q. 43cwt. 3qrs. 13lb. starch; 13 barrels, q. 19cwt. 2qrs. hair powder. March 18.

Ditto. 15 Cases, q. 20,974 yds. Irish linen; 12,034 yds. British chequed linen; 105 ps. Irish linen; 30cwt. 1qr. ells narrow German linen; 722 yds. square printed linen; 10 chests, q. 180 gallons fallid oil; 3 chests, q. 36 gallons French olives; 2 chests, q. 216lb. capers; 1 chest, q. 4½ barrels anchovies. March 9.

Ditto

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Ditto. 29 Puncheons, q. 3560lb. wrought leather in shoes,
1332 shifts, 6500 shirts and apparel. March 12.

Ditto. 1 Trunk, q. 24 ps. British linen. March 12.

Ditto. 11 Puncheons, q. 46cwt. 2qrs. 19lb. tanned leather,
in soles and heels. March 12.

Ditto. 3 Cases, 1 truss, and 8 trunks, of stationary.
March 13.

Ditto. 260 Hams, 40 baskets cheese, 51 boxes ditto, 40 boxes
bacon. March 13.

Ditto. 4 Bales, q. 50 ps. stuffs; 4 boxes, q. pickles.
March 13.

Ditto. 1 Bale, q. 20 ps. ferges. March 19.

Ditto. 6 Casks, q. 11cwt. 2qrs. apothecaries; 148lb. sago,
13lb. ipecacuanha, 65lb. bark, 74lb. manna, 2lb. opium,
60lb. fenna. March 20.

Ditto. 1 Box, 1 cask, and 1 case, q. 340lb. bark; 2cwt.
pearl barley. March 20.

Ditto. 21 Casks, q. 122cwt. wrought iron; 32 cases, q. 310
dozen woollen hose, 20 dozen felt hats, 33 dozen castor
hats, 26cwt. haberdashery; 33 bales, q. 15,968 yards
British linen, 20 single bays, 2900 yards flannel, 25 dou-
ble bays, 28 single bays; Bath coating, value 200l.
2 drumvalts, q. 80 dozen felt hats; 37 trunks, q. 84lb.
wrought silk hose; 407lb. silk in pieces, thread and
cotton hose, and worsted breeches pieces. March 8.

Ditto. 3 Bales, q. 31 Spanish cloths. March 13.

Ditto. 2 Bales, q. 19 white cloths. March 13.

Searchers-Office, March 29, 1776.

G. By A. Jones.

N. B. There is a petition before the commissioners to per-
mit this ship to alter her voyage.

Port of } Ship Mentor, W. Davis, Master, bound to Boston.
London. }

C A R G O.

By virtue of a Licence from the Lords Commissioners of the
Admiralty.

Anthony Merry. { 6 Casks, q. 25cwt. pewter; 2 trunks, q. 99
pieces Irish linen; 5 bales, q. 2609 yards
British cheque; 1 bale, q. 42 ps. Man-
Relanded all { chester cottons; 20 chests, q. 23cwt. 24lb.
but cheese. { crown glass; 6 cases, q. stationary, value
250l. and 42 baskets of cheese. March
14, 1776.

46 Boxes

Relanded.

{ 46 Boxes tin plates, value 115^l. 60 casks, q. 160cwt. nails; 6 casks, q. 25cwt. pewter; 7 bales, q. 174 pieces stuffs, and 115 lb. 4 oz. silk and worsted mixt; 1 case, q. 16 pieces Manchester cotton; 2 trunks, q. 116 pieces Irish linen; 4 bales, q. 2612 yards of British check; 1 bale, q. 37 pieces Manchester cottons; 20 chests, q. 23cwt. 24lb. of crown glass; 29 tierces and casks, q. 3038 gross of corks. March 13.

Relanded.

{ 10 Casks, q. 324 gallons Portugal wine; 6 jarrs, q. 144 gallons fallad oil; 25 single barrels of anchovies. March 14.
2 Bales, q. 30 tanned hides, and 5 dozen tanned calf skins. March 14.
24 bales, q. 200 short cloths.

Searchers-Office, March 29, 1776.

G. By A. Jones.

Port of } Ship Le Soye Planter, W. Smith, Master, bound
London. } to Boston.

C A R G O.

[Not cleared.]

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Anthony Merry. { 50 Casks, q. 130cwt. of nails [March 4,
Relanded. { 1776,] by licence, dated Feb. 16, 1776.
50 chaldron of coals, [March 2, 1776,] by
licence, dated Feb. 16, 1776.

Relanded.

{ 46 Boxes of tin plates, value 115^l. [March
13, 1776] by licence, dated Feb. 16, 1776.
2016lb. Cut tobacco
3584lb. Ditto

5600lb.

290 Gallons Portugal wine; 6 jars, q. 144
gallons fallad oil

25 Single barrels of anchovies, [March 14,
1776,] by licence, Feb. 16, 1776.

6 Casks,

6 Casks, q. 25cwt. of pewter; 2 trunks, q. 99 pieces, Irish linen; 4 bales, q. 2609 yards British cheque linen, at 7*d.* not exceeding 1*s.* 6*d.* per yard. By licence, dated Feb. 16, 1776.

Relanded all

but cheese.

1 Bale, q. 42 pieces, Manchester velvets; 20 chests, q. 23cwt. 24lb. crown glass; 6 cases stationary, value 25*ol.* 42 baskets, q. 50cwt. British cheese. By licence, dated Feb. 16, 1776.

Searchers-Office, Custom-House, March 29, 1776.

G. By A. Jones.

Port of } Ship Jamefon and Peggy, J. Patterson, Master,
London. } bound to Boston.

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

James Anderson. 47 hogheads, q. 359cwt. 3qrs. 19lb. of British refined sugar in loaves; 3 hogheads, q. 25cwt. 1qr. 16lb. of British refined sugar in lumps; 1 hoghead, q. 9cwt. 3qr. 18lb. starch; 1 cask, q. 150lb. blue; 20 boxes, q. 20cwt. soap; 4 boxes, q. 2cwt. 15lb. of candy; 5 casks, q. 6qrs. barley. March 18, 1776.

Gibson and Co. { 1 Case, q. 864 packs of playing-cards.
March 18, 1776.

James Anderson. { 5 Pipes, q. 713 gallons, port wine. March
13, 1776.

10 Puncheons, q. 1152 gallons, rum.
Jan. 12, 1776.

38 Pipes, q. 3288 gallons of port wine;
52 hogheads, q. 6999 gallons port
wine; 4 pipes, q. 7595 gallons Lisbon
and port wine; 2 butts, q. 256 gallons
of Spanish wine; 8 hogheads, q. 766
gallons Spanish wine; 18 half chests,
q. 270 gallons of French wine. March
14, 1776.

152cwt. 2qrs. green glass. March 14, 1776.

Searchers-Office, March 29, 1776.

G. By A. Jones.

Port

*Port of } Ship City of London, J. Mc. Fadzen, Master,
London. }* *bound to Boston.*

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

- Feb.* 29. Charles Mc. Kensie, *per* Hughes and Co. 52 cwt. cortex Peru; 2qrs. sago; 26lb. fenna; 4cwt. 14lb. currants
29. Charles Mc. Kensie and Co. 20 boxes, q. 3050lb. soap
29. Lewis Mc. Kullock, *per* Charles Mc. Kensie, 12 barrels white herrings, 20 barrels red herrings
- March* 2. Charles Mc. Kensie *per* Alexander Moore, 700 gallons beer, 2880 pieces glass, q. 50cwt.
2. Charles Mc. Kensie, *per* Parker and son, 2880 ps. glass, q. 50cwt.
- March* 4. Charles Mc. Kensie, *per* Abel Mc. Cauley, 27 dy. cambricks
4. Charles Mc. Kensie, *per* William Hall, 1800 ps. q. 8cwt. white flint glass
8. John Edington and Co. *per* Charles Mc. Kensie, 21 chaldron of coals
6. Charles Mc. Kensie, *per* Abel Moore, 5 tuns beer
6. Charles Mc. Kensie, *per* Thomas Woodmason, 864 packs of playing-cards
- March* 9. Charles Mc. Kensie, *per* Webb and son, 28 barrels beer; 84cwt. 2qrs. 8lb. glass
8. Charles Mc. Kensie, *per* Abel Mc. Cauley, 1425lb. bohea, 460lb. singlo tea.
11. Charles Mc. Kensie, *per* Abel Mc. Cauley, 7765 yards British linen; 2cwt. haberdashery; 180cwt. stuffs
12. Charles Mc. Kensie, *per* Abel Mc. Cauley, 2 hogf-heads gingerbread, 5500 gallons British brandy.
11. Charles Mc. Kensie, *per* Benjamin Kenton, 33 gallons French wine
12. Charles Mc. Kensie, *per* Abel Mc. Cauley, 248 gallons port wine, 6lb. quicksilver, 18lb. bals. capivi, 24lb. cort. Peru, 6lb. cantharides, 12lb. fenna, 18lb. manna, 6lb. ippecacuanha, 3lb. saffron, 6lb. aloes, 6lb. rhubarb, 54 yards open tapes, 6 dozen straw hats, 12,500 lemons, 6lb. nutmegs, 6lb. cinnamon, 4lb. mace, 4lb. cloves, 56lb. pimento
4. Charles Mc. Kensie, *per* Abel Mc. Kensie, 3945lb. cut

cut tobacco, 174 gallons Rhenish wine, 39½ gallons fallad oil, 653lb. gallons port wine, 110 gallons French wine, 10cwt. prunes, 20cwt. currants, 20cwt. Smyrna raisins, 7cwt. 3qrs. 12lb. figs, 5cwt. 2qrs. 15lb. raisins solis, 6cwt. 2qrs. 28lb. ells narrow German linen, 20 Silesia lawns, 3 coffees, 44½ long cloths, 168½ callicoes, 869 yards square printed linen, 1665 yards square printed callicoes, 6lb. quicksilver, 18lb. bals. capivi, 24lb. cort. Peru, 6lb. cantharides, 12lb. fenna, 18lb. manna, 6lb. ipecacuanha, 3lb. saffron, 6lb. al. cicotrine, and 6lb. rhubarb; 9cwt. 3qrs. 8lb. drillings, 4cwt. 3qrs. Russia linen, 20 casks Irish salted butter, 50 casks of beef and pork, 156 yards Holland whited lawns, 19 barrels of anchovies

March 13. Charles Mc. Kenzie, *per* Abel Mc. Caulay, 3642 yards Irish linen, 4870 yards British linen, 515 yards square printed British linen, 3cwt. apothecaries, 1688lb. tallow candles, 56lb. 10oz. sewing-silk and hose, 3000 ells sail-cloth

Searchers-Office, March 29, 1776.

G. By A. Jones.

*Port of } Ship Adventure, Ste. Munro, Master, bound to
London. } Boston.*

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

James Christie. 23 Bales, q. 220cwt. 3qrs. 25lb. ells narrow German linen, 18cwt. 1qr. 20lb. ells of Russia drilling, 1qr. Hessian canvas, 4cwt. 2qrs. ells of barras, 4 cases, q. 158½ ps. callico, 43½ pieces long cloths, 324 yards Silesia diaper, 1558 yards square printed, 20 cotton romals, 60 silk ditto, 12 casks, q. 100cwt. nutmegs, 10lb. cloves, 10lb. cinnamon, 10lb. mace, 2cwt. sweet almonds, 4cwt. raisins Smyrna, 2cwt. French prunes, 2cwt. currants, 2cwt. 3qrs. 25lb. cocoa. *March 21, 1776.*

Gibson and Co. A case, q. 1800 packs of playing-cards. *March 18.*

James Christie. A case, q. 20 pieces, q. 473 yards square printed British cotton. *March 21.*

24 Casks, q. 621 gallons and a half port wine; 2 cases, q. 600lb. Jesuits bark. March 20.

167½ Green glass. March 22.

14 Chests, q. 4106lb. bohea tea, 10 chests, q. 662lb. hyson tea, 2 chests, q. 169lb. of congou tea, 4 chests, q. 261lb. singlo tea. March 21.

15 Casks, q. 6000lb. pepper. March 21.

John Watson. 11cwt. 1qr. Green glass. March 20.

James Christie. 5 Bales, q. 76cwt. 2qrs. 9lb. ells narrow German; 3qrs. 18lb. ells Hessian canvas, 2qrs. 15lb. ells spruce canvas. March 20.

Searchers Office, March 29, 1776.

G. By A. Jones.

*Part of } Ship Renown, John Kean, Master, bound to
London. } Boston.*

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Samuel Smith. 50 Puncheons, q. molasses, 248 baskets, q. 15 tons cheese, 114 baskets, q. 5 tons cheese, directed 81 packages for the army. March 4, 1776.

Robert Pizing. Half a hoghead strong beer. Feb. 17.

Samuel Smith. 60 Barrels, q. 273cwt. rice. Feb. 13.

4 Casks, q. apothecaries and drugs. Feb. 27.

95 Casks, q. 12,714lb. wrought leather in shoes. Feb. 26.

2 Butts, q. 31cwt. 17lb. Smyrna raisins, 1 cask, and 1 runlett, q. 373lb. essence of spruce. Feb. 26.

1 Box, q. 6lb. 14oz. silver lace. Feb. 27.

Searchers-Office, March 29, 1776.

G. By A. Jones.

Copy of a Letter from Mr. Jackson to Mr. Stanley, dated the 30th of March, 1776.

SIR,

Admiralty-Office.

I HAVE laid before my lords commissioners of the admiralty the account which the commissioners of the customs have favoured them with, in your letter of last night, containing the names of seven ships which have been entered

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for North America, under licences from their lordships, with the quantities of goods shipped in pursuance thereof; and I am commanded by their lordships to desire you will be at the further trouble to inform them, as soon as convenient, whether the ship City of London, one of the aforementioned ships, has had her clearance from your office, and is sailed from this river, and if not, where she now lies.

I have it also in command from their lordships to acquaint you, that no regard is to be paid to the licences which have been granted for the Le Soye Planter, and Mentor, the merchants having applied for new ones, and no resolution is taken thereon.

The licence which has been granted for the Pallas has been withdrawn by Mr. Watlington, to whom it was granted; and it is under consideration, whether the licence which was granted for the Jameson and Peggy, but has been returned, shall be delivered back to the person to whom it was granted.

Their lordships have no observation to make concerning the entry of the cargo on board the ship Renown; but with respect to the Adventure (which is the only one of the seven ships) mentioned in the account transmitted as aforementioned, on which I have not before explained myself, they are pleased to direct me to express surprize that her cargo should have been permitted to an entry between the 18th and 21st inst. their request to stop the licence they had granted for that ship and others, having been made on the 15th inst. I am, Sir, your very humble servant,

Edw. Stanley, Esq. Custom-house. GEO. JACKSON, D. S.

Copy of a Letter from Mr. Jackson to Mr. Stanley, dated the 30th of March, 1776.

SIR,

Admiralty-Office.

I AM commanded by my lords commissioners of the admiralty to acquaint you, for the information of the commissioners of the customs, that no regard is to be paid to the licences, which you will see by the letter I had the pleasure of writing you on the 15th instant, were granted by their lordships for the ships Lord Rochford and Resolution, the merchant to whom they were granted having applied to their lordships for new licences. I am, Sir,

Your most humble servant,

GEO. JACKSON, D. S.

Edward Stanley, Esq. Custom-house.

Mr. Stanley acquaints Mr. Jackson what Ships have cleared out, and sailed for America with Goods, in pursuance of Licences, dated April 2, 1776.

SIR, *Custom-house, London.*

I HAVE laid before the board your letter of the 30th ult. acknowledging the receipt of my letter of the 29th, transmitting an account of vessels which have entered out, and of goods shipped for North America, in pursuance of licences from the lords commissioners of the admiralty: and I have the commissioners' directions to acquaint you, that the ship City of London, (one of the ships mentioned in your letter) cleared out from this office the 13th of March, and sailed on her voyage from Gravesend the 18th of the same month; and, that the ship Adventure entered her cargo on the 15th of March (previous to their lordships' commands for stopping all licences, being known here) but the said ship is not cleared out, which I am to desire you will be pleased to communicate to the lords of the admiralty for their lordships' information. I am, &c.

George Jackson, Esq. (Signed) EDW. STANLEY.

Copy of a Minute of the Board of Commissioners, dated the 2d of April, 1776.

THE secretary laid before the board a letter from Mr. Jackson, secretary to the lords commissioners of the admiralty of the 30th ult. in consequence of the secretary's letter of the preceding day, transmitting a list of the ships which have been entered for North-America under licences granted by their lordships, with the quantities of goods shipped in pursuance thereof. And the lords of the admiralty having, by their secretary's letter of the 15th ult. to this board, desired, that the licences granted for the ships therein mentioned may be stopped, where it can be done, and transmitted to their lordships: the collector outwards is not to permit any entries to be made by virtue of such licences, but to stop the same, pursuant to the minutes of the 19th ult. and to acquaint the board therewith; and the searchers are not to suffer any of the ships under this circumstance to be cleared until further order.

Copy of a Warrant from the Lords Commissioners of his Majesty's Treasury, dated the 3d of April, 1776.

Whitehall, Treasury-Chambers.

AFTER our hearty commendations: Whereas Anthony Merry hath requested permission to put on board the armed ship

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ship the Resolution, Capt. Edmund Hawker, thirty casks, containing 1350 gallons of British brandy, being stores necessary for the use of the said ship; and we having taken the same into consideration, do hereby authorize and direct you to permit the said Anthony Merry to put on board the said ship, the Resolution, the said quantity of 1350 gallons of British brandy, as stores necessary for the use of the said ship; and for so doing, this shall be your warrant.

NORTH.

To our very loving Friends the Commissioners of his Majesty's Customs.

C. TOWNSHEND.

BEAUCHAMP.

Anthony Merry, permission to ship 1350 gallons of British brandy on board the Resolution, for the use of the ship's company.

Copy of a Letter from Sir Grey Cooper, Bart. dated the 11th of April, 1776.

GENTLEMEN,

Treasury-Chambers.

MY lords commissioners of his Majesty's treasury having employed Mr. Anthony Merry to ship on board the vessels undermentioned a certain quantity of live stock (to be ascertained by the invoices and bills of lading of such ships) for the use of his Majesty's forces in North America; and he having obtained the proper licences from the lords of the admiralty, in pursuance of the late act of Parliament for exporting the said live stock to North America; and also for exporting sundry other articles of provisions on his own account: and the said Mr. Merry having represented to my lords that he purposes to take the said live stock on board the said vessels at the port of Milford, in Wales, I am commanded by their lordships to direct you to order your officers at the said port of Milford, to suffer the said Mr. Anthony Merry to load on board the said ships such live stock, with their provender, sufficient for the voyage, without any entry or clearance, in the same manner as has been practised with transports in the service of government.

I am, Gentlemen,

Your most humble servant,

GREY COOPER.

The Le Soye Planter,

Captain William Smith.

The Mentor,

Captain Joseph Davis.

The Lord Rochford,

Captain James Lambert.

The Princess Royal,

Captain Henry Smedley.

The Resolution,

Captain Edmund Hawker.

Commissioners of the Customs,

Copy

Copy of the Minute of the Board of Customs, dated the 12th of April, 1776.

THE secretary laid before the board a letter, which he received yesterday, after their rising, from Sir Grey Cooper, one of the secretaries to the lords of the treasury, signifying, that their lordships have employed Mr. Anthony Merry to ship on board the vessels undermentioned a certain quantity of live stock (to be ascertained by the invoices and bills of lading of such ships) for the use of his Majesty's forces in North America; and he having obtained the proper licences from the lords of the admiralty, in pursuance of the late act of Parliament for exporting the said live stock to North America, and also for exporting sundry other articles of provisions on his own account. And the said Mr. Merry having represented to the lords of the treasury, that he proposes to take the said live stock on board the said vessels at the port of Milford, in Wales, Sir Grey Cooper is commanded by their lordships, to direct the commissioners to order their officers at the said port of Milford, to suffer the said Mr. Anthony Merry to load on board the said ships such live stock, with their provender sufficient for the voyage, without any entry or clearance, in the same manner as has been practised with transports in the service of government.

The Le Soye Planter,	Captain William Smith.
The Mentor,	Captain Joseph Davis.
The Lord Rochford,	Captain James Lambert.
The Princess Royal,	Captain Henry Smedley.
The Resolution,	Captain Edmund Hawker.

And the secretary acquainted the board, that he sent a letter to the collector and comptroller of Milford, by last night's post, with directions to take care that their lordships' commands be duly and strictly obeyed.

Copy of a Letter from the Collector and Comptroller of Milford to the Commissioners of the Customs, dated the 2d of May, 1776, with five Licences.

May it please your Honors,

IN pursuance of your honors' order, signified in Mr. Stanley's letter of the 16th of March last, herewith we transmit the copies of five licences granted by the lords of the admiralty to ship provisions for Boston in North America; and acquaint your honors, that the vessels are now in port, to receive the live stock and provender, and that the other articles

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articles mentioned in the licences have been ship'd at London. We are, your honors most obedient

And faithful servants

Custom-house, Milford,

J. ADAMS.

May 2, 1776.

J. TUCKER.

By the Commissioners for executing the office of Lord High Admiral of Great-Britain and Ireland, &c.

IN pursuance of an act passed in the present session of Parliament, intituled, "An act to prohibit all trade and intercourse with the several colonies therein mentioned," we do hereby authorize, license, and permit William Davis, master of the ship *Mentor*, of the burthen of 250 tons, to proceed with the said ship and cargo, consisting of the particulars specified in the schedule annexed, from the port of London to the port of Boston, or any other town or place in North America, garrisoned or possessed by any of his Majesty's troops, and not elsewhere; and there to unload and deliver the said cargo, and to return from thence with his said ship to Great-Britain or Ireland. This licence to subsist and be in force from the day of the date hereof, until her return as aforesaid.

Given under our hands, and the seals of the office of admiralty, the 3d day of April, 1776.

To all Flag-Officers, Captains, Commanders, and other commissioned Officers of his Majesty's Ships and vessels.

SANDWICH.

LISBURN.

H. PALLISER.

By command of their lordships,

Geo. Jackson, D. S.

Cargo of the Ship Mentor, freighted by Mr. Anthony Merry.

80 Chaldron coals, 200 head of oxen, 300 sheep, 100 hogs, 50 doz. fowls, 5 tons Spanish and Portugal wines assorted, 5 tons French wines. Ale and beer, in casks and bottles, amount 500/. Grocery, such as raisins, almonds, currants, loaf-sugar, tea, dates, prunes, figs, pearl-barley, sago and sago-powder, salop, pepper, and all other kinds of spices and vermacelli, amount 2000/. Mustard, vinegar, pickles, and fundry other eatable articles, from the oil-man, value 200/. 2 Tons and a half cheese, assorted; 50 barrels Irish tongues. Drugs—Bark, rhubarb, camphire, and other drugs, to the amount of 400/. 5 Tons tobacco; portable soup, to the value of 200/. 1000 gallons sallad oil, 25 barrels anchovies, 20,000 oranges and lemons.

mons. Sundry hams, tongues, cheeks, smoaked beef, and other dried provisions, to the value of 400*l*. As many roots and greens, and other herbage, as the ship can stow.

Approved by the lords commissioners of the admiralty.

GEO. JACKSON, D. S.

The like licences granted for shipping the same cargo on board the under-mentioned ships:

Le Soye Planter,	William Smith,	276 tons.
Lord Rochford,	James Lambert,	300
Princess Royal	Henry Smedley,	174

Cargo of the Ship Resolution, Edmund Hawker, Master, burthen 350 Tons, freighted by Mr. Anthony Merry, in pursuance of the like Licence.

50 Head oxen, 50 sheep, 50 hogs, 50 dozen fowls, 10 tons Spanish, Portugal, Teneriffe, and Madeira wines, 5 tons French wines. Ale and beer, in casks and bottles, to the amount of 500*l*. Grocery, such as raisins, almonds, currants, loaf-sugar, tea, dates, prunes, figs, pearl-barley, sago and sago-powder, salop, pepper, and all kinds of spices and vermacelli, amounting to 2000*l*. Mustard, vinegar, pickles, and sundry other eatable articles, from the oil-man, to the value of 300*l*. 2 Tons and a half cheese, assorted; 50 barrels Irish tongues. Drugs—Bark, rhubarb, camphire, and other drugs, to the amount of 800*l*. 5 Tons tobacco: portable soup, to the value of 300*l*. 1000 gallons salad oil, 200 barrels anchovies, 20,000 oranges and lemons. Sundry hams, tongues, cheeks, smoaked beef, and other dried provisions, to the value of 500*l*. As many roots, greens, and other herbage, as the ship can stow.

Approved by my lords commissioners of the admiralty.

GEO. JACKSON, D. S.

An Account of Entries made in the Renown, John Kean, for Boston, by virtue of a Licence from the Lords of the Admiralty, granted to Samuel Smith, Feb. 3, 1776.

February 9, 1776. Samuel Smith, treasurer to the society for the relief of his Majesty's forces at Boston, 273lb. of rice.

February 10. *Idem*. 1 Box and 3 cases stationary, 1 paper parcel, and 1 box snuff, 2 vallines, 1 box bedding, 1 box with bedstead, 1 bag, q. tables, 2 bags, q. pins and mallet; 4 boxes, 1 cask, 1 basket, and 3 barrels, q. cheese; 1 cask

1 cask hams, 1 butt porter, 4 firkins, 1 small box and 1 firkin butter, 2 boxes cheese, 1 box portable soup, 1 hoghead porter, 1 box instruments, 10 hospital tents in vallines, 10 bundles poles, 10 bags pins and mallets, 6 surgeon's tents in bags, 6 bundles poles and pins, 8 casks caps, 1 box and 2 barrels beef, 2 firkins butter, 2 keggs eggs, 3 barrels potatoes, 1 box cheese, 1 cask fuet, 2 barrels beef, 3 firkins butter, 2 casks pease, 2 casks flour, 1 cask rice, 1 cask of apples, 1 cask oatmeal, 1 box 2 cheeses, 2 boxes cheeses, 2 barrels porter, 2 half hundred firkins butter, 6 hams, 1 barrel of tongues, 2 firkins butter, 1 barrel beer, 1 cask tongues, 1 cask beef, 1 cask hams and tongues, 1 box cloaths, 1 fir cask, 1 gun, 1 parcel, 1 cask, 1 hoghead porter, 1 chest, q. 28 stand of arms, 1 box cartridges and flints, 1 halbert, 1 drum, 1 chest medicines, 1 cask spirits, 1 package, 1 box 2 cheeses, 1 box raisins, tea, sugar, hams and tongues, 1 box shoes, cheese, and butter, 1 box, 1 cask porter, 1 cask hams, 2 hampers porter, 12 pair blankets, 1 box and cask porter, 1 cask hams and cheese, 1 cask linen, 100 gallons spirits, 2 barrels porter, 1 cheese, 12 pieces Irish linen, 20 pair shoes, 6 dozen hose, 3 small parcels, 1 box cloaths, half a firkin butter, 2 hams, 1 box drops, 1 barrel hams and tongues, 3 pans beef, 1 pan butter, 1 box oranges, 1 box lemons, 1 firkin red herrings, 1 roll brawn, 1 pan beef, 1 roll brawn, 3 casks porter, 1 cask pease and grits, 2 casks cheese, 1 cask hams, 1 barrel beef, 1 pocket telescope, 1 cask butter, 2 small boxes and 1 cask butter, 2 hams, 6 tongues, 2 boxes lace, 1 tierce hams and tongues, 2 hampers porter, 10 barrels beef, pease, and cheese, 4 barrels butter, 1 box fadlery, 1 box, 1 box shoes, 4 boxes optical glasses 1 box cheese, 3 casks beef and pork, 2 kegs tripe, 5 firkins butter, 1 firkin lard, 2 boxes of candles, 1 cask cheese, 3 casks flower, 2 casks pease, 1 cask of biscuit, 2 sacks of corn, 3 sacks of potatoes, 5 puncheons of shoes; 1 barrel, 10 small packages, 13 casks, 1 pot, 4 boxes, 3 tubs, 1 ton, 1 keg, 1 hoghead, of fundry necessaries; 1 tierce of beef, 2 casks of pork, 6 barrels of flour, 2 barrels of pease, 1 barrel of potatoes, 1 barrel of cheese, 1 cask of bottled porter, 1 cask of tongues, 1 cask of garden-seeds, 2 firkins of butter, 3 boxes candles, 3 flitches of bacon, 1 cask of seeds, 1 set of maps, 6 tons of candles in 84 boxes, 32 firkins of butter, 10 baskets of cheese, 7 puncheons of hams, tongues, hogs'

hogs' heads, and beef, 6 boxes of lemons, 6 boxes of oranges, 1 box chesnuts, 1 box of almonds, 12 firkins of red herrings, 12 jars of raisins, 1 box plumbs, 1 parcel 3 dozen of salmon, 1 cask of pine-apple cheese, 12 barrels of apples, 1 barrel of hams and tongues, 3 pans beef, 1 pan of butter, 1 box of oranges, 1 box of lemons, 1 firkin of red herrings, 1 roll of brawn, 1 pan of beef, 1 roll of collared brawn, 30 boxes and parcels, 30 barrels of shoes, 1 cask, 1 cask porter, 1 cask potatoes, 1 cask biscuit, 1 cask, 1 firkin of butter, 4 casks of cheese, 1 case of tongues, 1 cask of eggs, 1 cask of pickles, 1 cask of hams, 4 casks of beef, 1 cask of tripe, 2 boxes of candles, half a box of raisins, 1 cask of pease, 2 boxes of garden-seeds, 1 chest of oranges, half a firkin of butter, 1 cask of pork, 2 barrels of beef, 2 firkins of butter, 2 kegs of eggs, 3 tierces of potatoes, 1 box of cheese, 1 cask of fuet, 2 casks of pease, 1 cask of tripe, 2 boxes of candles, 20 tons of cheese, 50 puncheons of molasses, 1800cwt. fuet, 60cwt. of dried flour, 2 kegs eggs, 3 barrels of potatoes, 1 box of cheese, 1 cask of fuet, 18 bales of baize, 4000 waistcoats, 16 bales, q. 8000 mens' hose, 2400 hose in 15 casks, 8000 mens' caps, 8000 mitts and gloves in 16 casks, 4 casks, q. 2400 women and children's hose, 1 cask, q. 4000 essence spruce.

February 23. Samuel Smith, 12,714lb. leather shoes. Watts and Potter, for Samuel Smith, 22,561lb. cut tobacco.

February 26. Samuel Smith, 31cwt. 17lb. Smyrna raisins, and 1108 essence spruce, 6lb. 14oz. silver lace.

WM. BATES, Dep. Coll.
J. HUME, Dep. Compt.

An Account of Goods shipped for America, by virtue of Licences granted by the Lords Commissioners of the Admiralty, agreeable to the Commissioners' Minute, dated May 7, 1776.

Port of } Ship City of London, John Mc. Fadzen, Ma-
London. } ster, bound to Boston; cleared March 13, 1776.

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Charles Mc. Kenzie. 3642 yards Irish linen, 4870 yards British linen, 515 yards square printed British linen, 3cwt. apothecaries, 1688lb. tallow candles, 56lb. 10 oz. sewing-silk and silk hose, 3000 ells sail-cloth. March 13, 1776.

Idem.

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- Idem.* 84cwt. 2qrs. 8lb. Glafs, q. ftrong beer. March 9.
Idem. 864 Packs playing-cards. March 6.
Idem. 5 Tons ftrong beer. March 6.
John Edington and Son. 21 Chaldron coals. March 8.
Charles Mc. Kenzie. 8cwt. White flint glafs. March 4.
Idem. 27 Demy cambricks. March 4.
Idem. 2880 Pieces, q. 50cwt. green glafs. March 2.
Idem. 2880 Pieces, q. 50cwt. green glafs, and 700 gallons beer. March 2.
Idem. 2 Hogheads gingerbread, 5506 gallons British brandy. March 2.
Lewis Mc. Cullock. 12 Barrels white herrings, 20 barrels red herrings. Feb. 29.
Alex. and Cha. Mc. Kenzie. 3050lb. soap. Feb. 29.
Charles Mc. Kenzie. 1885lb. tea. March 8.
Idem. 10lb. Silver lace, 7765 yards British linen, 2cwt. haberdashery, 180lb. ftuffs. March 11.
Idem. 33 Gallons French wine. March 11.
Idem. 2qrs. Sago, 26lb. fenna, 4cwt. 14lb. currants. February 29.
Idem. 248 Gallons port wine, 6lb. quicksilver, 18lb. balsam capivi, 24lb. cortex Peru, 6lb. cantharides, 12lb. fenna, 18lb. manna, 6lb. ipecacuanha, 3lb. saffron, 6lb. aloes, 6lb. rhubarb, 54 dozen open tapes, 6 dozen straw hats, 12,500 lemons, 6lb. nutmegs, 6lb. cinnamon, 4lb. mace, 4lb. cloves, 56lb. pimento. March 12.
Idem. 3945cwt. Tobacco cut, 174 gallons Rhenish wine, 39 gallons and a half fallad oil, 19 barrels anchovies, 653 gallons port wine, 110 gallons French wine, 10cwt. prunes, 20cwt. currants, 20cwt. Smyrna raisins, 7cwt. 3qrs. 12lb. figs, 5cwt. 2qrs. 15lb. raisins folis, 6cwt. 2qrs. 28lb. ells narrow German linen, 20 Silesia lawns, q. 156 yards Hollands whited, 3 coffaes, 44 pieces and a half long cloths, 168 pieces four-tenths callicoes, q. 869 yards square printed linen, and 1665 yards square printed callico, 6lb. quicksilver, 18lb. balsam capivi, 24lb. cortex Peru, 6lb. cantharides, 12lb. fenna, 20lb. manna, 6lb. ipecacuanha, 3lb. saffron, 6lb. rhubarb, 6lb. aloes cicotrina, 9cwt. 3qrs. 8lb. ells drilling; 4cwt. 3qrs. ells. Russia linen, 20cwt. Irish salted butter, 50 casks beef and pork. March 4.
Idem. 90cwt. 3qrs. 21lb. British refined sugar, 11,175 yards Irish linen, 9531 yards British linen, 49lb. 8oz. sewing-filk, 70lb. filk in pieces, 44cwt. 2qrs. 14lb. ground

ground sugar, 410 yards British checqued linen, 35 tons strong beer, 10 tons wrought iron, 10 tons cheese, 20cwt. haberdashery, 12 dozen shod shovels, 100 dozen felt, and 20 dozen castor hats, 1800lb. wrought leather, 5000 pieces earthen ware, 20cwt. pewter, 20cwt. brass, 30 dozen plain leather gloves, 200 small gross tobacco-pipes, 7cwt. stuffs, 25lb. gold lace, 42 dozen womens' stuff shoes, q. 180lb. wrought leather, 50 dozen mens' worsted hose, 3cwt. apothecaries, 50 double baize, 10 tons molasses, 20cwt. biscuit, thread and cotton hose, stationary, floss, painters oil and colours, pickles, salts; cabinet, tin, and turnery wares, hams, upholstery, flour of mustard, breeches pieces, toys, and Irish linen, value 3000*l.* and 100 pieces British linen, 5cwt. confectionary. Feb. 27.

Searchers-Office, Custom-house, May 9, 1776.

*Port of } Ship Lord Rochford, James Lambert, Master,
London. } bound to Boston; cleared April 13, 1776.*

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Anthony Merry. 599 Gallons port wine, 384 gallons fallad oil, 25 single barrels anchovies, 60cwt. Lexia raisins. April 11.

Idem. 5000 Lemons. April 12.

Idem. 50cwt. cheese, 3 tons strong beer, flour of mustard, pickles, portable soup, British hams, tongues, cheeks, smoaked beef and vegetables, value 500*l.* April 10.

Searchers-Office, Custom-house, May 13, 1776.

*Port of } Ship Resolution, Edmund Hawker, Master, bound
London. } to Boston; cleared April 13, 1776.*

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Anthony Merry. 186 Gallons French wine, 274 gallons port wine, 320 gallons port wine, 281 gallons Spanish wine, 144 gallons fallad oil, 176 gallons fallad oil, 43 single barrels anchovies, 100cwt. Lexia raisins. Apr. 11.

Idem. 11,000 lemons. March 12.

Idem. 50cwt. cheese, 3 tons strong beer, flour of mustard, pickles, portable soup, hams, tongues, cheeks, smoaked beef, and vegetables, value 500*l.* April 10.

Searchers-Office, Custom-house, May 9, 1776.

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Port of } Ship Renown, John Kean, Master, bound to
London. } Boston; cleared March 4, 1776.

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Samuel Smith. 50 Puncheons molasses, 20 tons cheese, 81 packages for the army. March 4.

Idem. 1 Hoghead strong beer. Feb. 17.

Idem. 60 Barrels rice, q. 273cwt. Feb. 13.

Idem. 8½ Apothecaries purging salts. March 27.

Idem. 12,714lb. Wrought leather shoes. March 26.

Idem. 31cwt. 17lb. Smyrna raisins, 373 essence of spruce. April 26.

Idem. 6lb. 14oz. Silver lace. April 27.

Searchers-Office, Custom-house, May 9, 1776.

Port of } Ship Le Soye Planter, William Smith, Master,
London. } bound to Boston; cleared April 6, 1776.

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Anthony Merry. { 50 Casks, q. 130cwt. nails, March 4, 1776.
Relanded. { By licence, dated Feb. 16, 1776.

50 Chaldron coals, March 2, 1776. By licence, dated Feb. 16, 1776.

Relanded. { 46 Boxes tin plates, value 115^l. March 13, 1776. By licence, dated Feb. 16, 1776.

5600lb. Cut tobacco, 290 gallons Portugal wine, 6 jars, q. 144 gallons fallad oil, 25 single barrels anchovies, March 14, 1776. By licence, dated Feb. 16, 1776.

Relanded all but cheese. { 6 casks, q. 25cwt. pewter; 2 trunks, q 99 pieces Irish linen; 4 bales, q. 2609 yards British checked linen, at 7^d. and not exceeding 1s. 6^d. per yard; 1 bale, q. 42 pieces Manchester velvets; 20 chests, q. 24cwt. 24lb. crown glass; 6 casks stationary, value 250^l. 42 baskets, q. 50cwt. British cheese. By licence, dated Feb. 16.

Searchers-Office, Custom-house, May 9, 1776.

Port of } Ship Jameson and Peggy, J. Patterson, Master,
London. } bound to Boston; cleared April 18, 1776.

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

James

James Anderson. 47 Hogheads, q. 359cwt. 3qrs. 19lb. British refined sugar in loaves; 3 hogheads, q. 25cwt. 1qr. 16lb. of British refined sugar in lumps; 1 hoghead, q. 9cwt. 3qrs. 18lb. starch; 1 cask, q. 150lb. blue, 20 boxes, q. 20cwt. soap; 4 boxes, q. 2cwt. 15lb. of candy; 5 casks, q. 6qrs. barley. March 18, 1776.

Gibson and Co. A case, q. 864 packs of playing cards. March 18.

James Anderson. 5 Pipes, q. 713 gallons port wine. March 13.

Ditto. 10 Puncheons, q. 1152 gallons rum. Jan. 12.

Ditto. 38 Pipes, q. 3288 gallons of port wine; 52 hogheads, q. 6999 gallons of port wine; 4 pipes, q. 7595 gallons Lisbon and port wine; 2 butts, q. 256 gallons of Spanish wine; 8 hogheads, q. 766 gallons Spanish wine; 18½ chests, q. 270 gallons French wine. March 14.

Ditto. 152cwt. 2qrs. Green glass. March 14.

Searchers-Office, May 9, 1776.

*Port of } Ship Pallas, Henry Mc. Lachlan, Master, bound
London. } to Boston; cleared for Nova Scotia, April 4, 1776.*

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Richard Watlington. 10 Barrels, q. 11cwt. 13lb. figs; 9 barrels, q. 21cwt. 1qr. 27lb. currants; 6 barrels, q. 11cwt. 13lb. of Smyrna raisins; 1 barrel, q. 2cwt. 10lb. sweet almonds; 10 boxes, q. 2cwt. 1qr. 7lb. raisins solis; 3 boxes, q. 1cwt. 3qrs. 10lb. French prunes; 3 barrels, q. 5cwt. 3qrs. 16lb. ditto. March 15, 1776.

Ditto. 4 Bales, q. 27cwt. 2qrs. 27lb. ells of drilling. March 19.

Ditto. 2 Trunks, q. 1cwt. haberdashery, 31lb. gold lace, 59 silver lace. March 19.

Ditto. 1 Case, q. 105lb. sewing silk, 1cwt. haberdashery. March 20.

Ditto. 70 Hogheads, q. 212cwt. 1qr. 19lb. British refined sugar in loaves. March 9.

Ditto. 30 Barrels, q. 43cwt. 3qrs. 13lb. starch; 13 barrels, q. 19cwt. 2qrs. hair-powder. March 18.

Ditto. 15 Cases, q. 20,974 yards Irish linen, 12,034 yards British checked ditto, 105 pieces Irish linen, 30cwt. 1lb. ells narrow Germany linen, 722 yds. square printed linen, 10 chests q. 180 gallons salad oil, 3 chests q. 36 gallons French olives, 2 chests q. 216lb. capers, 1 chest q. 4½ barrels anchovies. March 9.

Ditto.

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Ditto. 29 puncheons q. 3560lb. wrought leather in shoes, 1332 shifts, 6500 shirts and apparel. March 12.

Ditto. 1 trunk q. 24 ps. British linen. March 12.

Ditto. 11 puncheons q. 46cwt. 2qrs. 19lb. tanned leather, in soles and heels. March 12.

Ditto. 3 cases, 1 truss, and 8 trunks stationary. March 13.

Ditto. 260 hams, 40 baskets cheese, 51 boxes ditto, 40 boxes bacon. March 13.

Ditto. 4 bales q. 50 ps. stuffs, 4 boxes pickles. March 13.

Ditto. 1 bale q. 20 ps. serges. March 19.

Ditto. 6 casks q. 11cwt. 2 qrs. apothecaries; 148lb. sago, 13lb. ipecacuanha, 65lb. bark, 74lb. manna, 2lb. opium, 60lb. fenna.

Ditto. 1 box, 1 cask, 1 case q. 340lb. bark, 200cwt. pearl barley. March 20.

Ditto. 21 casks, q. 122 cwt. wrought iron, 32 cases q. 310 dozen woollen hose, 20 dozen felt hats, 33 dozen castor hats, 26cwt. haberdashery; 33 bales q. 15968 yds. British linen, 20 single bays, 2900 yds. flannel, 25 double bays, 28 single ditto and Bath coating, value 200l. 2 drum vats q. 80 dozen felt hats, 37 trunks q. 84lb. wrought silk hose, 407lb. silk in pieces and thread and cotton hose and worsted breeches pieces. March 8.

Ditto. 3 bales q. 35 Spanish cloths. March 13.

Ditto. 2 bales q. 19 white cloths. March 13.

Searchers Office, May 19, 1776.

N. B. There is a petition before the commissioners, to permit this ship to alter her voyage.

The documents altered by indorsements, by order of the commissioners, March 29, 1776.

*Port of } Ship Mentor, Wm. Davis master, bound to Boston,
London. } cleared April 6, 1776.*

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Relanded all
but cheese. { *Anthony Merry.* 6 casks q. 25cwt. pewter, 2
trunks q. 99 ps. Irish linen, 5 bales q.
2609 yds. British checqu'd linen, 1 bale q.
42 ps. Manchester cottons, 20 chests, q.
23cwt. 24lb. crown glass, 6 cases station-
ary, valued at 250l. 42 baskets cheese.
March 14, 1776.

Relanded.

Idem. 46 boxes tin plates, value 115*l*. 60 casks q. 160cwt. nails, 6 casks q. 25cwt. pewter, 7 bales q. 174 ps. stuffs; 115*lb*. 40z. q. filk and worsted mixt, 1 case q. 16 ps. Manchester cottons, 20 chests q. 23cwt. 24*lb*. crown glass, 2 trunks, q. 116 pieces Irish linen, 4 bales q. 2612 yds. British checqu'd, 1 bale q. 37 ps. Manchester cotton, 29 tierces and casks q. 3038 gross corks
March 13.

Idem. 10 casks q. 324 gallons Portugal wine, 6 jars q. 144 gallons salad oil, 25 single barrels anchovies. March 14.

Relanded.

Idem. 2 bales q. tann'd hides, and 5 doz. tann'd calf skins. March 14.

Idem. 24 bales q. 130 short cloths. March 15.

Searchers Office, March 29, 1776,

Port of } Ship Adventure, Henry Monro master, bound for
London. } Boston; cleared for Nova Scotia and Canada,
April 12, 1776.

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

James Christie. 23 bales q. 220cwt. 3qrs. 25*lb*. ells N. German linen; 18cwt. 1qr. 20*lb*. ells Russia drilling; 1qr. Hessian canvas; 4cwt. 2qrs. ells banafs; 4 cases q. 158 ps. $\frac{1}{10}$ callicoes, 43 ps. $\frac{1}{3}$ long cloth, 324 yds. Silesia diaper, 1558 yds. square printed, 20 cotton romals, 60 filk ditto; 12 casks q. 100*lb*. nutmegs, 10*lb*. cloves, 10*lb*. cinnamon, 10*lb*. mace, 2cwt. sweet almonds, 4cwt. raisins of Smyrna, 2cwt. French prunes, 2cwt. currants, 2cwt. 3qrs. 25*lb*. cocoa. March 21.

Gibson and Co. A case q. 1800 packs playing cards. Mar. 18.

James Christie. A case q. 473 yds. square printed British cotton. March 21.

Idem. 24 casks q. 621 $\frac{1}{2}$ gallons port wine, 2 cases q. 600*lb*. jesuit's bark. March 20.

Idem. 167cwt. 2qrs. green glass. March 22.

Idem. 14 chests q. 4106*lb*. bohea tea; 10 chests q. 662*lb*. hyson tea, 2 chests, q. 169*lb*. congou, 4 chests, q. 261*lb*. singlo tea. March 21.

Idem. 15 Casks, q. 6000*lb*. pepper. March 21.

John Watson. 11cwt. 1qr. Green glass. March 20.

James Christie. 5 Bales, q. 76cwt. 2qrs. 9*lb*. ells narrow German

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German, 3qrs. 18lb. ells Hessian canvas, 2qrs. 15lb. ells spruce canvas. March 20.

The documents altered by endorsements, by order of the commissioners, March 29, 1776.

Searchers-Office, Custom-house, May 9, 1776.

*Port of } Ship Minerva, John Callahan, Master, bound to
London. } Boston.*

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

David Green. 10lb. Nutmegs, 60 casks of beef, 40 casks pork, 3lb. cloves, 3lb. mace, 8lb. of cinnamon. April 29, 1776.

Idem. 210qrs. English wheat ground, 71cwt. 2qrs. 5lb. British refined sugar in loaves, 560lb. English hard soap, 5 tons cyder, 60cwt. bread, value 60l. 20 fitches bacon, 100 firkins butter, 4 tons cheese, 100qrs. pease, 10qrs. oats, 10qrs. barley; mutton, hams, tongues, potatoes, pickles, and flour-mustard, value 100l. April 29.

Idem. 24cwt. 6lb. rice. May 3.

Searchers-Office, May 21, 1776.

*Port of } Ship Princess Royal, William Smedley, Master;
London. } bound to Boston.*

C A R G O.

By virtue of a Licence from the Lords Commissioners of the Admiralty.

Anthony Merry. 247 Gallons Spanish wine, 224 gallons sallad oil, 25 single barrels of anchovies, 30cwt. 3qrs. 14lb. Lexia raisins. April 3, 1776.

Idem. 50cwt. Cheese, 3 tons strong beer, flour of mustard, pickles, portable soup, British hams, tongues, cheeks, and smoaked beef, value 400l. April 10.

Searchers-Office, May 21, 1776.

List of the Out-Ports, with the Dates of the Returns, and when received.

<i>Ports.</i>	<i>Dates of the Returns.</i>	<i>When received.</i>
	1776.	1776.
Aldborough	— May 11.	
Aberystwith	— 15.	May 20.

Ports.	Dates of the Returns. 1776.		When received. 1776.
Arundel			
Berwick	—	May 13.	May 17.
Blackney and Clay		13.	14.
Boston	—	11.	14.
Bridgewater		13.	
Barnstaple		14.	
Bideford	—	14.	17.
Beaumaris		13.	17.
Bridlington		14.	17.
Bristol	—	11.	
Colchester		11.	13.
Cardiffe			
Chichester		11.	13.
Cowes	—	11.	13.
Cardigan		13.	17.
Carlisle	—	14.	18.
Dover	—	13.	14.
Deal	—	11.	
Dartmouth		14.	
Exeter	—	15.	17.
Faversham		13.	
Fowey	—	15.	20.
Falmouth		13.	17.
Gloucester		13.	15.
Gweek	—	13.	17.
Harwich		11.	13.
Hull	—	13.	16.
Ilfricombe		13.	
Ipswich	—	11.	13.
Lancaster			
Lynn Regis		13.	
Lyme Regis		11.	13.
Looe	—	14.	17.
Leigh	—	18.	20.
Liverpool		14.	18.
Milford			
Maldon	—	13.	14.
Minthead		14.	
Newcastle		13.	
Newhaven		11.	13.
Poole	---	13.	15.
Portsmouth	---	13.	

Preston

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			May 14.	May 17.
Preston	---	---	14.	17.
Penryn	---	---	13.	17.
Plymouth	---	---	14.	
Penzance	---	---	13.	17.
Rocheſter	---	---	14.	15.
Rye	---	---	14.	16.
Stockton	---	---	12.	16.
Sandwich	---	---	14.	15.
Shoreham	---	---	13.	
Southwold	---	---	13.	16.
Sunderland	---	---	13.	16.
Southampton	---	---	11.	13.
Scarborough	---	---	14.	17.
St. Ives	---	---	15.	20.
Swanſey	---	---	16.	20.
Truro	---	---	13.	17.
Whitehaven	---	---	16.	
Weymouth	---	---	15.	17.
Whitby	---	---	12.	15.
Woodhidge	---	---	11.	
Wells	---	---	11.	14.
Yarmouth	---	---	11.	13.

*Ports not received.*Chepſtow,
Padſtow,Cheſter,
Scilly, andLanelly,
Wiſbech.

*Port of } Report from the Officers in the Long Room, dated
London. } May 22, 1776.*

THE accounts delivered to the board, the 22d of May, 1776, were not finiſhed till laſt night at nine o'clock. Notwithſtanding the cloſeſt application poſſible, ever ſince receiving the minute of the 6th inſtant; the attendance upon the accounts above-mentioned prevented our compleating the whole. In the remaining account there is a vaſt deal of work, and will take up a conſiderable time to compleat: it is impoſſible to fix a certain time, but as near as we can judge it may be five or ſix monthss

The Renown, cleared March 4, 1776.

Le Soye Planter, cleared April 6.

Mentor, cleared April 6.

City of London, cleared March 13.

Jameson and Peggy, cleared April 18.

Reſolution, cleared April 13.

Lord Rochford, cleared April 13.

P 2

Pallas,

Pallas, cleared April 4. } Having altered the destination
 Adventure, cleared Ap. 12. } of their voyage for Nova Scotia.
 Princess Royal, cleared April 13, *per* Boston.
 Minerva altered her voyage to Barbadoes, not cleared.

WM. BATES, D. Coll.

J. HUME, D. Compt.

May 9.

R. H. T.
Townshend.

The order of the day for going into a committee on the felons' bill. Right honourable *T. Townshend* said, the noble Lord [Lord North] instead of bringing in a bill of this importance, which led to an alteration of the whole system of our criminal law, at the end of the session, when one half of the members, if not more, were out of town, should either have brought it in earlier, or if that was not practicable, should have deferred it till the next session. If the noble Lord's views were directed only to increasing the power of the crown, already too extensive, he wished him to speak out; if that was not his motive, he called upon his Lordship to state any one ground of probability of its answering the purposes predicted by its friends and supporters.

Lord Irn-
ham.

Lord *Irnham* said, slavery in any shape, or upon any pretence, was no less abhorrent to the spirit of the constitution than to the feelings of an Englishman; but if this bill was suffered to pass into a law, it would familiarise the lower order of the people to that abject condition. In those countries where the punishment of slavery was inflicted, the consequence of conviction operated but very weakly. At *Marfeilles*, in particular, he saw no persons who seemed to be happier than the slaves on board the galleys; they traded and associated with each other, and seemed perfectly content. Consequently that the principal argument urged in favour of the bill, that it would put a stop to and check the growing enormities of the times, was ill-founded, for, in his opinion, it would have the very contrary effect. He hoped the minister would not on this, as on every other occasion, exercise his boasted firmness, merely to shew his power in every matter, great or small, in which opposition took a part.

Sir George
Yonge.

Sir *George Yonge* said, he had made it his business to enquire, and had found that the number of transports in this kingdom was on an average about 1500 annually. That the Trinity House would find employment but for a few, no more than could be properly employed in scouring the river *Thames*, opposite the cities of London and Westminster. That

That employing the felons in the several counties, would create an immense expence. Houses of correction must be erected, persons paid for managing them, which, with the old and new taxes, turnpike-roads, and poor's-rates, would create such a burthen, as it would be impossible for the middling and lower orders of the people to support.

Mr. *Eden* said, he had a hand in bringing in the bill, and *Mr. Eden* had taken infinite pains to gain every possible information, both as to its propriety, expediency, and probable effects. He had consulted some of the learned judges, and conversed with several eminent gentlemen of the long robe on the subject, and they all unanimously approved of the principle of the bill. He was therefore for going into a committee, where the bill might receive such amendments as would render it palatable to all parties. Persons convicted of several species of felony, might receive punishments suited to the nature of their crimes. Some might be sent to garrison places situated in unwholesome climates; others might be made to work, and confined in houses of correction; others again be employed in preserving the navigation of rivers; and finally the duration of the punishment might be varied, some for a longer, some for a shorter time, and others during their lives.

Right honourable *T. Townshend* said, he understood that a R. H. *T. Townshend* bill was intended to be brought in, relative to the houses of correction; that it was to be printed and meant to be sent into the country. Why not do the same with the present, and send both bills together? He objected strongly to a clause in the bill, which impowers his Majesty to mitigate punishments. This was what he would never consent to, because it would throw a power into the hands of the crown, which might be the means of perverting justice. The minister might exercise this power as he pleased. He would besides be constantly teased by applications. He did not at all approve of departing or altering that fundamental principle in our criminal law, that the King may pardon crimes, but not alter punishments when once incurred.

Sir *Richard Sutton* approved of the bill, as putting a stop to Sir *Richard Sutton* sanguinary punishments, which were a disgrace to our government.

Sir *Philip Jennings Clerk* against the bill, because it vested Sir *Philip Jennings Clerk* new powers in the crown, and laid a foundation for interrupting the general justice of the nation.

Mr. *Popham* (of the same opinion with the last honourable Mr. *Popham* gentleman) and if the bill were less excetionable, he thought the

the matter of much too great consequence to be hurried thro' at the conclusion of a session.

Mr. Gilbert. Mr. *Gilbert* for going into the committee, either to amend the bill, so as to pass it into a law, or if that should not be approved of, to have it printed and sent into the country.

Mr. Wenman. Mr. *Wenman* for the bill. Was perfectly satisfied that hard labour would be much more terrible than death to three-fourths of those who annually make their exit at Tyburn.

Sir Joseph Mawbey. Sir *Joseph Mawbey* against the bill. Why not send the transports to the Floridas, the East Indies, the West India islands? all of which were a continual annual drain of men from this country.

Gov. Johnstone. Governor *Johnstone* expressed his dislike of the bill very strongly, and was severe on Lord North for being zealous in its support. He said, that the people having slavery daily before their eyes, it would at length become familiar to them. That our law, convinced of the effect of habit, had excluded butchers from serving on juries in criminal cases, as from being habituated to see pain and agony, it renders them callous, obdurate, and hard-hearted.

Col. Onslow. Col. *Onslow* for the bill. Was of opinion, that it would put a stop to robberies of all kinds.

Mr. Solicitor General. Mr. *Solicitor General* said, it was intended as a bill of experiment, more particularly to answer the spur of the occasion. When tranquility was restored to America, the usual mode of transportation might be again adopted. The nation would at the end of a year or two be enabled to judge of its propriety. Two assizes, and four quarter-sessions, would discover any defects which might be in the bill. The advantages or disadvantages would in that period be known; and if the bill was worth preserving, it might be made perfect, if not, it might be totally repealed.

Mr. Powis. Mr. *Powis* against the bill, because it made no distinction in the crimes, nor in the manner of treating the convicts.

Mr. Mackworth. Mr. *Mackworth* for the bill, but wished it to be put off till next year; as a notion prevailed without doors, that every thing transacted in that House was hurried through without consideration or enquiry; and that the whole tenor of our recent acts of legislation have a tendency to abridge the liberties of the people. The House divided; ayes 97, noes 18. The House then went into the committee, and filled up the blanks.

May

May 10.

The *Lord Mayor* [Mr. Sawbridge] moved, “That his Ma-^{Mr. Saw-}jefty’s colonies in America be continued upon the same footing^{bridge.} of giving and granting their money, as his Majesty’s subjects in Ireland are, by their own representatives.” He said, there was no necessity for going into a long discussion of the state of America, or the consequences which might be expected from our obstinately persisting to coerce them, which he ventured to foretell we should never be able to effect. Powerful as those motives might appear to persons who measured right only by the probable success of effecting wrong; the equity and justice of the English nation, he hoped, would be called forth by reasons of a different nature. He trusted that sentiment would effect what nothing but short-sighted interest could obstruct; and that every part of this wide-extended empire would experience the happy consequences of a mild, free, and benign government. He condemned the conduct of administration in strong terms. He urged them either to accept of preliminaries for peace with America, from the wisdom and industry of individuals in the legislature, out of office, or to substitute other preliminaries of their own framing, which should be more just and salutary. He believed, that even the sanguine abettors of government now gave up all thoughts of exacting a revenue from British America without a parliamentary representation. His constituents had recommended to him this proposition; it coincided in substance with his own sentiments; and it was therefore with the utmost satisfaction he now stood up to acquit himself of the first duty of a delegate in Parliament, the conveying the wishes of those by whose suffrages he had been deputed.

Mr. alderman *Oliver* seconded the motion, and said, if the^{Mr. Alder-}present opportunity of conciliating our disputes, and making^{man Oliver.} peace with America was neglected, we should never have another. He recommended coming to some resolution which might convince the people of that country, that we did not mean to make slaves of them, but hold them as peaceful, useful, and obedient subjects.

Mr. *Vyncer* (the Lord Mayor having said something relative^{Mr. Vyncer.} to the country gentlemen giving sixteen shillings in the pound, if required, in a tax upon their lands, to continue the present civil war) confirmed the offer, as originating from himself in that house, and added, he was not for offering any conditions for peace while an American had a musket on his shoulder.

Hon. *Tem-
ple Luttrell.*

Honourable *Temple Luttrell.* He paid many compliments to Mr. Sawbridge on the goodness of his motives for the part he now took, but was of opinion, such esteem had he for the right honourable magistrate's disposition and talents, that, if he was to form a constitution for the colonies to satisfy his own mind, he would have their interests and happiness better provided for than by giving them a constitution on the model of that of Ireland. A people so wretched, so oppressed, were scarcely to be found in any civilized part of the globe; nor could a more substantial injury, or a more humiliating insult be offered by a paramount nation to one of its dependencies, than what Ireland would experience at the hands of a British ministry within forty-eight hours, if his information proved authentic. An English minister had abused the confidence of his royal master so far, as to prevail with him in his character of king of Ireland, to create hereditary legislators for that island from the clans of the mountains of Scotland; men who in their private characters he believed to be not only irreproachable, but amiable and praise-worthy, of authority and high descent amidst their own thaneships, yet whose public pretensions in the years 1715 and 1745 (for he never heard of any other) now construed loyalty, were still, in the eye of our constitution, acts of infamy and rebellion. He should be told, perhaps, that this power was a part of the rightful prerogative of the crown; an idea to which he could never subscribe, while he remembered the wise and sterling definition of prerogative given us by Mr. Locke, who says, 'tis "a discretionary power of acting for the public good, where the positive laws are silent; if that discretionary power be abused to the public detriment, such prerogative is exerted in an unconstitutional manner." Was this acting for the public good? To bestow those privileges and pre-eminencies which are attached to the peerage of a kingdom, on persons whose names and families are utterly unknown to the natives of such kingdom, and without any ties of property, of local services or affection? Barons whose blood having been tainted by an open violation of the laws of their own country, are, in preference to the best gentlemen of Ireland, sent over there to possess the most honourable seats in the senate; to enact public statutes, and adjudge upon * personal inheritances in the dernier resort. Mr. Luttrell called, with some warmth,

* Claims of peerage as in the case of Visc. Valentia.

warmth, upon government to act in a manner consistent with the responsibility of their stations, and not to persist in a contemptuous silence on so important an occasion, and at such a critical juncture. The lives of their countrymen, the lives perhaps of their dearest friends, the safety of the empire, depended upon their immediate resolves. Are our ministers bent on war without a possible termination? or on what issue would they wish to rest the conflict between the two nations? Would they chuse the full extent of the field against a peopled continent of that immense magnitude? or rather offer to contract their battle, as was done by our Edward the Third in the French wars, to a few score of select warriors; and they themselves in person demand the lists against an equal number of the American congress? Perhaps, upon maturer consideration, they had best decide the superiority in the same manner that the natives of Rome did against the Albans: for, if even two of the ministerial champions should fall before one of their three antagonists, there may still be left a third (I have him in my view) who, when it comes to a running fight shall out-victory the last of the Horatii. It might, probably, in a few days, be recommended to both Houses, in a certain speech, to be fabricated by the authors of a like sanguinary parole at the opening of the present session, to go down into their respective counties for the summer months, and inculcate harmony and good order; for his part, he now declared, that he should consider acquiescence and quietude in future, under the present measures of a most infernal administration, as unworthy a British soul in every class of society, and highly criminal; confessed himself to blame, with others in the minority, for too inactive a submission and tameness during the parliamentary business of the winter; and was convinced, that if it had not been for the inertness, the want of unanimity, and reciprocal confidence on the side of opposition, the Americans would not have experienced so many instances of continued daring and outrage at the hands of government. He was severe upon the American secretary, [Lord George Germaine] assuring him that, now was the time to do real service to his country, and satisfy his German confederates, by avoiding a combat. It was a saying of one of the seven sages of Greece (Thales of Miletus) that, of all *wild* beasts the worst was a tyrant, and of all *tame* ones a flatterer: now, Sir, when you cast your eyes on his Majesty's efficient mini-

sters---when you look at his domestic minions, do you not heartily join with us in wishing that, he may soon, like another Orpheus, play up a second dance in the midst of this mischievous menagerie, so as to send them scampering from the rich pastures of a court to their native tramontane fastnesses. He called upon the treasury to reply; and blamed their silence.

R. H. R.
Rigby.

Right Hon. *R. Rigby*. He said, that he would not be one of those persons among the advocates for war, who kept profound silence when they were thus called upon; he should, therefore, till the colonists submitted, acquit himself of his duty, by openly avowing a firm perseverance in the same hostile measures which he had supported from the beginning of this unhappy contest, not only supported with his vote on every division, but with the best of his abilities in most of the debates. He shewed a ready wit in answer to some words which fell from the gentleman who spoke before him: "There was a time less alarming than the present, less dangerous to the realm, though the bloodiest of the Tudors sat upon the throne, † when every member arose from his seat, and laid his hand to his sword." Mr. Rigby observed, that the dispute could not be decided in a way more disadvantageous to the minority, who were always boasting of the superiority of their host without doors, when in this onset there would be three swords to one, unless the friends of government were to throw away theirs. He assured Mr. Luttrell, he had no occasion to be angry with himself for his meekness or moderation; advised the right honourable magistrate to to define the constitution and state of Ireland before he adopted it, or at least expected the House to adopt it for the American colonists. With respect to the Scotch peers, the mountaineer lords as they were called, he believed the creation would do no harm if it did no good; what good it would do them, was best known to themselves; but he must observe, that the case was not without more precedents than one.

Mr. Saw-
bridge.

The *Lord Mayor* [Mr. Sawbridge] in reply to what Mr. Rigby had thrown out relative to the constitution of Ireland; assured that gentleman he was ready to enter at large upon the subject if the House would fairly canvass it; and of course it would come properly at the close of the debate, when

† Queen Mary.

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when the mover of a question was always indulged with being heard a second time.

Lord Irnham. He exceedingly disapproved of the treatment that the first magistrate of the greatest city in the world was now receiving from administration; at a time too, when he was delivering the sentiments of the better part of the subjects of this commercial empire; who in a struggle for illegal and unattainable claims, were not inclined madly to risk every thing that a wise people could hold essential to renown or prosperity. His Lordship said, that, however defective the constitution of Ireland might be in some respects, yet the power of taxing themselves was sufficiently perfect for a ground-work of conciliation with America, if immediately proffered. He instanced the constitution of the German empire, in proof that taxation and legislation are not inseparable, and quoted very able civilians of the northern nations to confirm this assertion. He said, that whenever the ministers were conscious of having the weakest side in disputation, they had refuge under the wit and pleasantry of a paymaster general.

Mr. Burke. took a review of the measures pursued by administration since the commencement of the session. He called upon Lord North to tell a single act that had been done within that period. His Lordship it is true, might say, that he had voted ten millions out of the pockets of the people. He might boast that he had taken twenty thousand Germans into pay, and turned our British transport vessels into German hospitals. He might desire the representatives of the nation, to tell their constituents, that in return for such lavish grants, new taxes had been laid on them, and a four shilling land-tax rendered perpetual. He might inform them that America had 100,000 men in arms; that every governor from Halifax to Florida was driven to seek protection on board his Majesty's ships of war; and to conclude the narrative, he might instruct the representatives of the people to carry a sufficient number of Gazettes down to the country, and when questioned about the state of affairs in America, desire them to peruse those oracles of truth, and launch forth in the highest encomiums on the military conduct of general Howe, and the bravery of the troops under his command. He next reprehended the minister on his conduct respecting the Nova Scotia duties; and said, that favourite measure from which such salutary consequences were expected, was suffered to come to nothing, though he pledged himself

himself to the House, that he would bring in a bill framed on the resolutions of the committee appointed to take into consideration the petition from the speaker and house of assembly of that province. He next turned to the commission granted to Lord Howe and his brother, for restoring peace and granting pardons to the people of America, and said, that those gentlemen, however high they stood in respect to their respective professions, were by no means calculated for carrying into execution the professed objects of that commission; but allowing that they were ever so able in that line, he contended, that the King could not grant them a single power which would enable them to treat with the provincials. The idea was as absurd as it was delusive. The question was taxation. Could they give it up? The King himself had no such power, he could not therefore delegate it. He might grant pardons, so might the admiral and general, and that was all. And he doubted not, but they would grant pardons as soon as they were asked; but who were to sue for them was more than he could venture to foretel.

Mr. Hartley. Mr. Hartley. The motion which has been made to you to-day, comes with the best recommendation that any proposition can come with to this House, I mean the recommendation of that great and most respectable body the city of London. The worthy magistrate who has made this motion, has supported it so ably, that, there is very little occasion to detain you long upon the subject. The friends to peace and to America have been incessant in their endeavours to suggest every possible chance of accommodation. But administration continues deaf to every entreaty. We must, I fear, content ourselves, without prospect of success, only to lay in our continual protests against the present vindictive measures. My honourable friend near me [Mr. Burke] has in this session offered to you a proposition, similar to the present, under another shape, viz. that of his conciliatory bill, which you have rejected. I myself did trouble the House likewise, with some propositions suited to the very terms declared by administration at the opening of the sessions; viz. that the colonies should be replaced to their situation in 1763, if the honour of government could be sheltered in the retreat. For the sake of peace, therefore, I did propose a test of compromise, by an acceptance on the part of the colonists, of an act of Parliament, which should lay the foundation for the extirpation of the horrid custom of slavery in the new world. No one can think it less expedient

ent than I do, for a British legislature, at the distance of three thousand miles, to interfere in the internal police of America, in which we must at the best be ignorant, and of which our only information must come through partial hands. My motion therefore was, not with any view to be drawn into example, but simply as an act of compromise and reconciliation; and as far as it was a legislative act, it was still to have been applied in correcting the laws of slavery in America, which I considered as repugnant to the laws of the realm of England, and to the fundamentals of our constitution. Such a compromise, would at the same time, have saved the national honour. I likewise took the liberty a second time in this session, to suggest to the House the proposition of putting the colonies upon the footing of Ireland, with regard to the right of giving and granting their own money, and to give them security that their charters should be maintained inviolable. The proposition of putting them upon the footing of Ireland as expressed in the motion of this day, has only respect to that one article of being masters of their own grants of money, in answer to a kind of objection which has been started, that if we had not a right of taxing them, such an exemption would constitute an *imperium in imperio*. The case of Ireland is therefore adduced as an argument and example in point. Unhappily for us, Sir, all these propositions, under whatever shape they have been moved, have been rejected; and what is worst of all, they have been rejected upon the principle of requiring unconditional submission, previous to any treaty or proposition for reconciliation.

I consider the proposition which is offered to you to-day, to be the same in substance with that solemn assurance which the Earl of Hillsborough, by a circular letter of the 13th of May, 1769, gave to the colonies, that they might rest in full confidence, that no farther taxes should be laid by Parliament for the purposes of raising a revenue. Yet what are we at war for now, if it be not for a substantial revenue, to be collected by threats and compulsion? The proposition which was made to them upon the 27th of February, 1775, commonly called the conciliatory proposition, is a direct breach of the national faith, as pledged by Lord Hillsborough's letter; for that proposition declares in the most explicit terms, that you mean only to forbear to levy, or impose, any duty, tax, or assessment, as long as the colonies under this threat, shall deliver their money to you, to such
an

an amount as shall satisfy the demands of administration. I desire that the copy of Lord Hillsborough's letter may be read, and after that, I shall desire that the conciliatory proposition may be read, that the argument may stand upon record in your journals, that a formal demand has been made to ministry in Parliament on the part of America, claiming the performance of the solemn promise, and the support of the national faith plighted to the colonies in Lord Hillsborough's letter. The conciliatory proposition being brought into the same page of your journals with that letter, will perpetually remain in contrast, to convict administration of having broken the public faith thus solemnly plighted; next in order will stand of course, the proposition offered to you this day, by the worthy magistrate of the city of London. If ministry refuse their assent to that proposition, which they are now called upon to accept as conformable to the spirit and substance of Lord Hillsborough's letter; it will be a formal declaration to America, that they must never trust to ministerial promises, but look to themselves for safety.

Every proposition for reconciliation has so constantly and uniformly been crushed by administration, that I think they seem not even to wish for the appearance of justice. The law of force is that which they appeal to. Let me then, at least, suggest to their consideration, whether there can be the least prospect of accomplishing by force what they have undertaken. At land the cause is acknowledged desperate. I told you, last year, that the congress would turn out an army of 50,000 men, before the then ensuing midsummer. That suggestion was treated at that time, as being in the highest degree ridiculous, yet it has proved true. You thought that two regiments would conquer all North America, but you have found ten times that number foiled at the single town of Boston. You have lost the whole province of Canada, except Quebeck; and your utmost expectations this year, will be to retake what was once your own. So much for your success at land. What can you expect at sea? I fear that I should make myself ridiculous to you once more, if I were to predict to you, what however I confess I fear on that head. Consider, Sir, ship-building is the manufacture of America. Two thirds of the British commerce is carried on upon American bottoms. That shipping then, which was once for your service, will be turned into ships of force, to be employed against your trade and transports. They have begun already. You have supplied them with
seamen

seamen by the stoppage of their trade and fisheries. You have thrown upon their hands forty or fifty thousand seamen, who can find no other employment but in the destruction of your marine. Remember their skill and courage at sea, against our common enemies in the last war. Your ships will be 3000 miles from home, a long while out of port, foul, and under every disadvantage. Their ships will be at home to take every advantage towards the latter end of the year that wind and weather may give them; when if you do not quit the coast, you will lie at the hazard of wreck or destruction, upon every wind that may blow. It is in vain to suggest these points of prudence; they are treated as the suggestions of pusillanimity and ill-will, till fatal experience brings conviction too late. Disgrace has been the fate of our armaments at land, I fear it will be the same at sea. We are in a dreadful dilemma. Success or defeat are equal ruin.

We are now got nearly to the end of the session. All our propositions for reconciliation have failed. Ministry are determined upon the trial of force. I am sensible, Sir, that I have been very importunate with you in this session, by reiterated applications. My object has been, not peace with America, but reconciliation, which is more than peace. We may have a foederal peace with France or Spain, or with any foreign power, but reconciliation is the wished for object, between those who are connected by every tie of consanguinity and friendship. It is for this reason, that I so much regret and deprecate the measures of force which are undertaken. Even if it were possible to make a conquest of America, we should only be torn so much the farther from a reunion of affection and good-will. By persisting so obstinately in every measure of force, and by rejecting every proposition of reconciliation, whatever quarter it comes from, or in whatever shape it is offered, you have left no alternative to America but unconditional submission or independence. I can easily foresee that the ground of the question will be totally changed before we meet again. Unless you can effect the conquest of America, which I think it equal madness either to attempt or to wish for, instead of reconciliation, you must come to a foederal treaty, with a people driven by yourselves to despair. As long as reconciliation, and a return to our former happy connexion, continues the object, so far I can see my way before me; but when re-

conciliation

conciliation is out of sight, we have lost our compass. The die is now cast for conquest or independence. We have bid an everlasting farewell to America. Whatever may be the event of the war, this at least is certain; reconciliation never comes by the sword.

The question having been repeatedly called for, was put: the House divided; ayes 33; noes 115.

Adjourned to the 13th.

May 13.

A motion being made, that the speaker be ordered to issue his warrant to the clerk of the crown for the election of a burghers to serve in Parliament for the borough of Grantham in the county of Lincoln, in the room of Sir Brownlow Cust, baronet, called up by writ to the House of Peers.

Mr. Burke, Mr. T. Townshend, Sir George Yonge, and Mr. Serjeant Adair, objected to the motion, as no evidence of the fact appeared before the House. They contended, that the precedent was dangerous on many accounts. A minister, at any time, might, by the over-ruling influence of the crown, deprive that House of its most valuable members. Writs under the sign-manual might be issued, which were not valid till after they passed the great or privy seal. The seats of the persons summoned by those writs might be vacated, the nation might be deprived of the services of some of its most useful members, every thing might be kept in suspense, and at length the House might be deceived, and the persons summoned to the other House have a seat in neither. They chiefly insisted, that the precedent now about to be established, was a very dangerous one; that it acknowledged a power in the crown hitherto unknown to the constitution, by giving, or attempting to give, a validity to the private acts of his Majesty, which he could only exercise in his public capacity, as first magistrate; and that the prerogative was now for the first time employed, since the reign of Queen Anne, in the manner it had been by that princess, through the sinister designs of her ministers, in creating twelve Peers in one day.

It was moved, that the debate should be adjourned till tomorrow morning.

The question being put, the House divided; ayes 33, noes 61. The main question being then put, it passed in the affirmative; ayes 61, noes 30.

Mr.

Mr. *Burke* then moved, that a committee be appointed to consider of precedents, of issuing writs in the room of members of that House, created peers under the sign-manual, and the question being put, the House divided, ayes 23, noes 40. Mr. *Burke*.

The order of the day, for taking the report of the amendments made to the convicts' bill into consideration. Several of the amendments were opposed, one in particular, which vests the appointment of the overseers who are to employ persons convicted of felony, and adjudged to hard labour, in raising sand, soil and gravel, from, and cleansing the river Thames, in the justices of the peace for the county of Middlesex, at their general quarter sessions of the peace.

Sir *George Yonge* said, he did not like the bill, nor indeed the principle of it, how plausible and specious soever it might appear on a slight view; but this clause, relative to the Middlesex justices, looked in the first place as a designed insult on the corporation of London, and would be trusting a very great power to a set of men who ought to be trusted with very great caution. He observed, that this part of the bill, relative to the cleansing and scouring the river Thames, would be nugatory, for the Trinity-house had already declared they did not want the service or labour of the felons convicted. But supposing that the Trinity-house really wished to employ them in the very business specifically pointed out, the bill neither provided proper powers to carry this plan into execution, nor pointed out the mode or means of regulating or managing the felons. Sir *George Yonge*.

Mr. *Eden* said, the bill was meant only to be temporary, that a year or two would probably decide whether it would answer the ends proposed, and if at the end of that period it should not, then it might be repealed. Mr. *Eden*.

Sir *William Meredith* supported the bill. Said, the gaols all over the kingdom were full, and begged gentlemen would reflect upon the gaol distemper, which must certainly break out if something was not done to empty the prisons. Sir *William Meredith*.

Mr. *Burke* against the bill in general, and particularly the clause respecting Middlesex justices. He said, the commission under which these men acted was become a disgrace to this country, as well as many gentlemen who consented to act under it. The very title, by habit arising from experience, was become a standing term of reproach; a Middlesex justice, a trading justice, &c. were descriptions that conveyed ideas the most worthless and contemptible. Mr. *Burke*.

Many of the men selected for this honourable office were composed of reduced and indigent tradesmen, whose chief recommendation was, that they had rendered themselves useful to administration on some occasion, for which, perhaps, they deserved the contempt of all mankind besides; but it was not even their poverty, their obscurity, nor, if you will, almost their want of principle, but it was their consummate and impenetrable ignorance of the laws of their country, which rendered them the most unfit persons on earth to be trusted with the execution of the power meant to be vested in them by this bill.

Mr. Powis. Mr. *Powis*, against the bill.

Rt. Hon. T. Townshend. Right Hon. *T. Townshend* moved to put the bill off for two months; but it passed in the negative without a division.

Several altercations happened in the course, on the report, of filling up the blanks, and several alterations were proposed, but they were all over-ruled by the majority; till the clause respecting the Middlesex justices came to be read a second time, when it was moved, that the "Middlesex justices be left out, and that there be inserted instead, "the lord-mayor, recorder, and aldermen of London." It was said no comparison could be drawn between so respectable a body, and the Middlesex justices, without manifestly disgracing the former; that they were known to be men of probity, character, and fortune, that several of them were men of talents, and that the recorder of London was generally some eminent lawyer, famed in his profession, of which the several seats of justice in Westminster-hall, could bear the most ample testimony. If, therefore, this horrid bill was to be passed into a law, for God's sake entrust its execution to men of probity and ability; to men who can have no temptation to abuse the powers delegated by it from design, nor who would not abuse it through ignorance. There was another circumstance which shewed the propriety of the proposed alteration, which was, that the corporation of London being the conservators of the river Thames, and the convicts being to work on the river, the corporation ought certainly to have the appointment of the overseers. Lord North was conjured for his own sake, not to betray so weak and feminine a resentment, so pitiful a revenge of the City of London, for differing with him in political principles, as to give a preference to the Middlesex justices in the present instance.

The question was put, and it was carried against the amendment by a majority of four to one.

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May 14.

No debate.

Adjourned to the 21st.

May 21.

No debate.

May 22.

General Conway. I am to apologize to the House for the introduction of a motion at this late period of the session; but the alarming and dreadful situation of this country compels me to trouble you. The House knows I am not professedly a motion maker, but content myself with that line of humble duty in which my abilities, situation, and temper, necessarily limit my conduct. Gen. Conway.

What shall I say, Sir, there is but one moment between this great country and destruction! I wish to seize it—The urgencies of this crisis will be my apology to the House. I am no partizan, nor indiscriminate opposer of government, except in this point.

The Gazette informs me, that commissioners [Lord Howe and his brother] are to be delegated with powers to treat with America for peace. I am not to learn that with enemies in general, the King is the sole arbiter of peace and war; but with our fellow subjects, where privileges are to be granted or concessions made, I doubt whether it can be done without the previous consent of Parliament.

It may be objected that the King may treat and you afterwards ratify what is done: but are you certain that America will trust you? Why not adopt the surer road? Specify the terms upon which you will treat: if they are fair and constitutional, and the Americans refuse to accommodate differences, you will thereby dissolve every legal combination by putting yourselves in the right. Besides, methinks there is somewhat due to this House, some information, some attention usual in those cases.

Will you give up taxation entirely? One noble Lord in the cabinet says, yes; another no. Is this House agreed upon it? If you are, name it, specify it fairly and openly; if not, if you cannot agree upon that fundamental point, in God's name, how can Lord Howe treat upon that essential point, where from the disunion of ministers and difference of opinion in this House nothing certain can be offered.

Why, Sir, was not the Earl of Hillsborough's letter a solemn renunciation of the right of taxation? Was not his Majesty's name pledged for the performance? Yes. Was it

ratified on their part? Did not all the governors of America, did not Lord Bottetourt say that the ministers were not immortal, but that to his dying day he should consider Great Britain as pledged to relinquish it, and this to the assembly of Virginia; and the same language held also to all the other assemblies in America.

I know it has been said that those who spoke and wrote against taxation in America, were a faction consisting of such persons as were disaffected to government: but I have sufficient reason to convince me that they gave the sentiments of the people of America in general. I remember particularly to have seen about that time a manuscript written by the late governor of Massachusetts Bay, Governor Hutchinson I mean, who, I believe, will not be suspected of being unfriendly to government; containing very sensible and unanswerable arguments against passing the stamp-act, and which shewed, to his honour, that he was a friend to his country as well as to government.

But the Earl of Hillsborough's letter has been read in the House of Lords; I will read it here.

Circular to all the Governors on the Continent and Islands.

Whitehall, May 13th, 1769.

My Lord (or Sir)

Inclosed I send you the gracious speech made by the King to his Parliament at the close of the session on Tuesday last.

What his Majesty is pleased to say in relation to the measures which have been pursued in North America will not escape your notice, as the satisfaction his Majesty expresses in the approbation his Parliament has given to them, and the assurances of their firm support in the prosecution of them, together with his royal opinion of the great advantages that will probably accrue from the concurrence of every branch of the legislature in the resolution of maintaining a due execution of the laws, cannot fail to produce the most salutary effects.

From hence it will be understood, that the whole legislature concur in the opinion adopted by his Majesty's servants, that no measure ought to be taken which can any way derogate from the legislative authority of Great Britain over the colonies; but I can take upon me to assure you, notwithstanding insinuations to the contrary from men with factious and seditious views, that his Majesty's present administration have

at no time entertained a design to propose to Parliament to lay any further taxes upon America for the purpose of raising a revenue, and that it is at present their intention to propose in the next session of Parliament to take off the duties upon glass, paper and colours upon consideration of such duties having been laid contrary to the true principles of commerce.

These, my Lord (or Sir) have always been, and still are, the sentiments of his Majesty's present servants, and the principles by which their conduct in respect to America has been governed, and his Majesty relies upon your prudence and fidelity for such an explanation of his measures, as may tend to remove the prejudices which have been excited by the misrepresentations of those who are enemies to the peace and prosperity of Great Britain and her colonies, and to re-establish that mutual confidence and affection upon which the glory and safety of the British empire depend.

I am, &c.

(Signed) HILLSBOROUGH.

Well, Sir; if I understand the English language; if I understand common sense; here is the strongest renunciation of the right of taxation. But America was deceived—and how all these troubles arose afterwards the present ministers can tell you.

The application of this transaction is, that they will not be duped by Administration again; that no other terms than those proposed and specified by Parliament, will be considered as the grounds of peace by America.

I have the best authority for what I say, "Nothing but terms held out by Parliament will do." The noble Lord [Lord North] held in this House the same language last February upon his conciliatory proposition: but if you are still agreed that nothing but unconditional submission will do, I have no more to say;—throw away the scabbard;—but I hope it is not so;—the wisest of men, the wisest of nations have treated, have receded, granted the concessions asked by rebellious subjects. What did the Romans do in the social war? What did Philip of Spain? Was he not obliged at last to accede to their terms? What did Louis Quatorze offer Marshall Turenne when in actual rebellion?

What instances in your own civil wars; What does White-locke tell you of the propositions made by the King? Don't tell me of the late Scotch rebellion; Is there no difference? Could you treat with them? Could you divide the crown or give it up? Could you have had two kings of Brentford upon

upon the throne? The comparison is ridiculous and unworthy of a serious refutation. But are not these rebels of a different kind? Who is there among you, that would not combat any power upon earth, invading in the same manner your privileges and rights?—men defending against the arm of power, what God and nature have given them, and no human power can justly wrest from them; the glorious privileges of the Revolution; those Whig principles which would in other days have excited this country to universal opposition.—There is some difference, I hope, to be made; some allowance for men engaged in such a cause.

The language of administration, of unconditional submission, driven out as you are from every port in America, does not become you; it is the language of vengeance and not of sense; of violence, not of reason; of passion, and not of common sense.

The idea of foreign danger may be thought visionary; but are not France and Spain arming? Could they find a better opportunity? Would it be their interest that you should conquer America? How would such a force as you must have affect their fears? Is not the French ministry changed? Is not the queen thought to have great influence in that court, and in the new arrangement? Who is her great friend? *Monf. Choiseul.* Who is the avowed enemy of this country? *Monf. Choiseul.* Who is the lover of war? *Monf. Choiseul.*

The assurances of the pacific intentions of those powers, are told to you;—who made them?—the last or the present administration? What reliance can you have upon them? Why, Sir, I know a brave man, and as good as any officer as any in France; he held the same language to me: and yet this very gentleman, *Monf. D'Ennery*, is now sent out with an additional force to the French West-India islands.

I shall trouble you no longer; the duty to my country, paramount to every obligation, obliges me to seize the only moment which remains between you and destruction; when this horrid war is to be carried on with every circumstance of aggravation; German mercenaries carrying desolation along with them; slaves excited to cut the throats of their masters: What can be more shocking to a feeling mind! I have no intention but the public good. [*A murmur from the treasury bench.*] Yes, I say it again; I have no other. What have I to get by it? What ever I have to lose, what have I to gain?—I have heard a language in private companies of affection to connections, and engagements to private friends; perhaps there is an infirmity. I think the attention to the
welfare

welfare of this great empire, is transcendent to every consideration. I hope and believe there is such a thing as men having a real opinion in Parliament. I lament the infirmness and inattention, for these last five years, to public concerns. This language proceeds from that, but I disclaim it, and offer you this motion from my fervent and earnest regard to the welfare and prosperity of this great empire. He moved "That an humble address be presented to his Majesty, praying that his Majesty would be graciously pleased to communicate to this House so much of the instructions given to the Lord Viscount Howe and General Howe, his Majesty's commissioners, as relates to the conditions on which it is proposed to make peace with, or receive the submissions of, his Majesty's American subjects now in arms."

Lord *John Cavendish* seconded the motion. His Lordship ^{Lord John Cavendish} spoke in high commendation of Lord Howe and General Howe, as officers, but said they have now got a character which they are intire strangers to, the filling of which, even if the nature of the business would permit, he much doubted whether they were equal to; however he, who was always against the beginning of this war, and who ever since it began was always for putting an end to it, would never find fault with any means that would stop the effusion of blood, and settle the realm in peace. He owned he doubted of these means, so far as the public had been able to guess what they were; he was willing to give his assistance to any that would produce peace. That this could not be done without the interposition and sanction of Parliament; he therefore must be of opinion that the instructions ought to be communicated.

Lord *North* began by answering the argument used, that ^{Ld. North} the colonies could not trust the ministry; and upon explanation of Lord *Hillsborough's* letter; he asserted that the ministers had never deceived the Americans. All which that letter engaged for as to repeal, had been done; all that it pledged government to as to future taxation, had been strictly adhered to. The letter promised the repeal of the tax on glass, paper, and painter's colours; but it never promised to repeal the tea duty; it promised not to lay any future tax, no future tax has been laid.

He said he did not object to the motion on account of the late period in the sessions in which it is moved. His objection was direct. He would oppose the communication of any instructions previous to their execution, unless there was something special in the case.

He

He never was of opinion that no rebels were to be treated with; his opinion always was, that if Great Britain was likely to draw any benefit from any treaty, he could see no objection or difference whether it was with a foreign enemy or with rebels, with armed rebels or with those who had laid down their arms.

Those who think we had better give up our rights; because some rival state may interpose against our maintaining them, think meaner of our own strength and power than I feel it to be; and more unjustly of such foreign states than we have any reason to do. Taking the proposition in general we ought always to be upon our guard against our rivals, and so far to fear them; but in this case there is no fear.

Although he cannot think, and wonders how any person who has ever been entrusted to act with the powers of government can think, that the modes by which any commissioner may be instructed to carry any powers into execution, that the secret situation of persons and things, that the springs and motives should be made public; yet he has no objection to the laying the powers themselves before Parliament and the public. The act of Parliament doth in general prescribe what they must be, and the commission gives such only as that act authorizes; it gives a power of granting general and also special pardons: it empowers the commissioners *to confer* with any of his Majesty's subjects *without exception*; it authorizes and directs them to inquire into the state and causes of their complaints; it cannot offer any terms; no such have ever yet been settled by Parliament, nor has the Congress or any of the Americans ever yet offered any which Parliament could listen to. These being the only powers of the commission, the instructions can give no power of agreeing upon or settling any terms of accommodation: they hold out no ultimatum; they make no concessions; they do not presume to bind Parliament; they cannot do that; they go to empowering the commissioners, *not to treat, but to confer, and to sound, for grounds of peace*: but all must be referred to Parliament. They are not plenipotentiaries; they cannot have full powers. Whatever gentlemen may think of the affections of the Americans in general towards this country, and their readiness to come to terms with us; I am sure their leaders will never feel or express such duty towards us, unless they have some proof of our resolution and power. It would be dangerous, even to peace itself, to hold out any proposition which

which might not succeed. The full extent of the plan, as contained in the commission, has been suggested to the persons employed; further communications, at present, would be very improper: after the experiment is made, and the service actually gone into, whether it succeeds or not, it will then be a proper object for Parliament to take under consideration in every part of it, at present I must object to those communications which the motion requires.

Mr. *Burke*. The noble Lord has not only refused to give Mr. *Burke* the instructions, but also to give any reason why he will not. The noble Lord made, indeed, an exception in his refusal, and did allow there might be a special case in which such previous communication might be requisite: but if the special case, as stated by the right hon. gentleman who made the motion, is not *that special case*, his Lordship's candour might have spared itself the trouble of that exception, for there never can be any special case wherein such communication can be proper. I do justice, however, to the principles of the noble Lord. In spite of all violence which he is drawn to do to them, he hath again relapsed into his natural bias towards justice and humanity. He is willing to give up taxation: he has no objection to treating, or at least to conferring with rebels; with rebels without exception, whether with arms in their hands, or after they laid down their arms. Although he will not tell this House what the terms to be offered or accepted are, yet to talk of conferring without some instructions on what terms the persons conferring are to meet, is nonsense, downright nonsense. Some conditions are therefore in embryo, at least: but then how is this to be reconciled to the doctrine of another noble Lord, who, it is said, has the confidence and the lead in these American measures; who is the executive minister in this department? He can admit no preliminary but *unconditional submission*. Between the various jarring opinions of ministers themselves, (more opposite at times than even those of opposition itself are to them) the object of the war, or the ends of peace, have never yet been clearly fixed. In the very session in which unconditional submission seemed to be predominate and become the fixed object of the war; in the very session, in which, after many puzzling and perplexed clashings, a revenue seemed to be the end aimed at; in that very session, this system of contradictions, this ministry have sent out commissioners to give up taxation and all expectation of a revenue, and to make peace without any notion of conditions. So far from expecting that the rebels should lay down their

arms, they are to treat; I will not use the word *confer* (I detest all quibbles unworthy the lowest petty-fogging attorney) they are to treat with rebels, whether they lay down their arms, or meet them in arms and array of arms. He then with much wit, described these double commissioners warring and treating, offering pardons both general and special when they were beat, and plundering and carrying fire and devastation into those quarters where they were to give peace.

Mr. Vyner. Mr. *Vyner* declared, that the landed gentlemen came into these measures, in support of the sovereignty of the realm, and in expectation of a revenue from America, in aid of the common burthen. The refusal of which, was the first step to revolt in the Americans: and the establishing of which, was the fixed and determined object of the war. That in these expectations, they had cheerfully come into the granting every supply which had been demanded, had fixed upon their estates a four shillings tax, in the pound, which must last for ever. But he now found they had been amused; that they had been led into a fine scrape; for all these were now to be given up without consulting, without even communication with Parliament. That it was now time to be explicit; it was now time to declare, that they could not go on any farther with such ministers, unless they abided by the plan which these ministers first held out to them, and on which the country gentlemen joined them.

Ld. North. Lord *North* (to explain) said, taxation was not to be given up. It was to be enforced. But whether at present, or hereafter, was a point of policy which the commissioners would learn, by founding the people upon the spot.

Mr. C. Fox. Mr. *C. Fox*. According to the noble Lord's explanation, Lord Howe and his brother are to be sent out as spies, not as commissioners. And if they cannot get on shore, they are to found upon the coasts. On the point of taxation, the ingenuity of the noble Lord hath now reconciled what gentlemen might think absolute contradiction. Parliament, on one hand, pledged by Lord Hillsborough, and the royal word on the other were pledged by Lord Bute from the seat of government, that no future tax shall be levied; and this promise is to be kept sacred. Yet, the country gentlemen are promised a revenue. The tea-duty, the only tax you have, makes no revenue. Yet a revenue must be had from America; and if the Americans will not of themselves give a revenue, we must tax them, says that sweet essence of wisdom the conciliatory motion.

Lord Hillsborough's letter and Lord Botetort's speech, have promised, even by a sacred word, that we never shall lay any future taxes. But a revenue must be had, and we must tax. The object therefore of the war is the tea-tax, which neither does or ever will raise any revenue. But it is a tax, and therefore according to the noble Lord's logic, we tax them. But it is no new tax, and therefore we keep our word. There cannot be a tax without a revenue, and therefore the country gentlemen must be satisfied, for if it does not raise so much as they expect, that is not the noble Lord's fault. And upon this curious bead-roll of syllogisms, we are to prosecute a ruinous war or to make a shameful peace. He then ridiculed the inconsistency of the two plans of war and treaty; and the difference of rebellions.

Mr. *Adam* objected to the motion; blamed the whole Mr. *Adam*. conduct of Lord North; and gave as his reason for opposing the motion, that he conceived, if the noble Lord should affect to give way to it, it would be only to gain a previous sanction to a plan, which in the situation, and under the circumstances, to which he had, by his conduct, brought the affairs of this country, it was perhaps right he should try, in order to extricate himself. But that Parliament, which had no share in the conduct which brought matters to this pass, ought to have no concern in this shift. He, for his part, would never agree to any thing, which should preclude him, or might preclude Parliament, from a full liberty of censuring the conduct of the noble Lord when it came to be compared in the issue, with the effect of which it must be the cause, and for which it must be responsible. He therefore desired, that the minister might stand and fall by his own measures.

Mr. *T. Townshend* observed, that Parliament had talked Mr. *T. Townshend*. in a high strain against America, but what Parliament thought or resolved one way or the other, was of very little consequence, for administration would act just as they liked. Parliament, instead of taking the lead, was at length degraded into a mere engine of government, one day to bully, another to conciliate, and the next he foresaw would be to sue for terms to America. Such was the case a few years back, in the case of Lord Hillsborough's circulatory letter to the colonies; while Parliament was asserting the supremacy of this country, and the unlimited, unconditional right of taxation over America, this letter contained the most specific declaration that no tax whatever should be ever laid on that country.

country. He said, however, that the letter was productive of much worse consequences than barely contradicting the sense of Parliament; a British administration was no longer to be relied on, for the solemn engagement for his Majesty to three millions of his subjects, was no sooner made than it was shamefully violated. What dependence then could America have on any future promise? How could she trust to the sincerity of our professions, when all administration had to do, would be to get Parliament to over-rule them, or remove the minister under whose immediate directions the faith of the nation had been pledged? This was precisely the case with the letter in question; America rested satisfied with the assurances it contained, and when the system was to be changed, the minister was removed, and his engagement on the part of this nation set at nought, as a mere unauthorized act of office.

Mr. Powys. Mr. Powys thought, that a noble Lord's expression, of *unconditional submission*, ought to be explained.

Ld. George Germaine. Lord George Germaine denied that he ever said, that he should require an unconditional submission. He did say, that he never wished to see the government of this country treating with its colonies, while they were in arms against it. He then quoted the act of Parliament, and reasoning from that, shewed that whatever turn might be given, or what constructions might be made from particular or vague expressions, the fact was, that no commission nor instructions, formed on the basis of that act, could ever mean to send out commissioners to treat with rebels in arms. The powers of the commission empowered the commissioners to restore either whole colonies, or any bodies of them, or even individuals to the King's peace, whenever they returned to their duty. The commanders, both by sea and land, were to carry on war against rebels in arms; how then could they treat with them? If there appeared in any one colony or individual a desire of returning to duty, if they or he could be received into the King's peace and have pardon, the commission enables the commissioners to confer and to encourage such dispositions in order to give peace. Thus far the noble Lord on the same bench [Lord North] is justified in what he said. But he did not, he never could mean, that the commissioners were to treat on the terms of the submission of the colonies---on the terms of their duty to the supreme legislature, or on the right of taxation. This legislature cannot, the act of Parliament does not give up the sovereignty of the supreme legislature;

gillature; cannot and does not give up the right of taxation. No instruction can authorise any one ever to treat about these objects. And unless we give up all these, a revenue some way or other must be had from America, as from a part in common aid of the whole. This was what the noble Lord intended, and this I venture to say, as pledging the noble Lord's opinion.

Colonel *Barré*. The noble Lord says, that the commissioners cannot treat till the rebels have laid down their arms. Does the act of Parliament mention any conditions upon which laying down their arms, they are to be received into the King's peace? Has the noble Lord mentioned any conditions? What then signifies all these distinctions in debate? In fact their submission must be unconditional.

Governor *Johnstone* closed the debate, by insisting upon it, that the noble Lord [Lord George Germaine] had, in express terms required *unconditional submission*. That the Lord in the blue riband [Lord North] was for treaty and conciliation almost on any conditions, so that Great Britain could derive any advantage from it. That these opinions were totally and absolutely irreconcilable. What might be made out of the hodge-podge of both jumbled together, he left to the House to consider, and to events to prove.

The question being called for, was put. For it 85; against it 171.

May 23.

Mr. *Hartley* made the following motion for an address to his Majesty, in which he was seconded by Sir George Savile. He opened the motion very shortly to the following effect; that there was not any occasion for many words to explain the motives for recommending such an address to the House, as the terms in which it was drawn up, were, when read, sufficiently explanatory of the intent; that he wished to leave upon record, a testimony for himself and for his friends, of their anxiety and apprehensions for the important events of this year, and of their readiness to sacrifice the minute personal considerations of rural amusements and relaxations, to the momentous concerns of this country and America. He thought that the unlimited confidence, which the House had put in ministers, who were known to be adverse to America, without any materials of information laid before them, together with the neglectful manner of turning our back upon their cause, would alienate the Americans from the hopes of reconciliation. He therefore wished to shew them, that

that they still had some friends left, who thought no anxiety or labour too much, to take the least chance of improving any favourable event that might happen, towards the restoration of peace, and to prevent the effusion of blood. He moved, "that an humble address be presented to his Majesty, setting forth, that his faithful Commons, in compliance with the sentiments and recommendations of his Majesty's most gracious speech at the opening of the present session, have been induced to support his Majesty with very great and expensive armaments, both by sea and land, together with many powers of coercion and punishment of such of his Majesty's subjects in America as are in a state of resistance to his authority; that his faithful Commons, reposing themselves implicitly upon the wisdom and moderation of his Majesty's councils, and without any communication of the detail of matters and transactions in America, either for the governors of the several provinces or the commanders of his Majesty's forces, or any communication of authentic papers from any of the public offices corresponding with the plantations, which might be explanatory of the views, tempers, forces, connexions, public proceedings, number and disposition of the persons discontented and in arms, have adopted measures, in general confidence of the recommendations of his Majesty's most gracious speech from the throne without specific matters of information, his Majesty not having thought proper to refer any such to this House; that his faithful Commons having reposed a boundless trust in the wisdom of his Majesty's councils, think themselves so much the more bound to their constituents, and to their country, to watch that the powers which they have so entrusted to his Majesty, may not be ignorantly or destructively applied by his ministers, and, as the events of this anxious and important year may probably be decisive to the future union and well-being of all his Majesty's dominions, and as the advice of Parliament at the shortest notice may be of the utmost importance to the salvation of these kingdoms, and as a continued series of unsuccessful and unpromised events have attended the execution of his Majesty's councils for many months past, from the loss of Ticonderoga to the retreat of his Majesty's forces from Boston, which seem to betray either ignorance or concealment of the operating causes which have produced such unexpected events, and which have occasioned a general disquietude and alarm, that his faithful Commons humbly entreat, that his Majesty will be

be graciously pleased not to prorogue the Parliament, but that he will suffer them to continue sitting by adjournments during the summer, that they may be ready to receive, from time to time, such information of the transactions in America, as his Majesty shall think proper to lay before them, to watch and to provide for every important event at the earliest moment." It passed in the negative.

This day the King came to the House of Peers.

Before his Majesty passed the bills, the Speaker addressed him to nearly the following purport.

May it please your Majesty,

Your Majesty's faithful Commons, have in the present session, passed several wise, salutary, and necessary laws; particularly the law for prohibiting all trade and commerce with America, the law for the more speedy and effectual manning your Majesty's navy, and the law for establishing a national militia. Your Majesty's faithful Commons, with equal assiduity and attention, have performed every duty, through a long and severe session. The business of America has engrossed the greatest part of their attention. Nothing has been wanting on their part to strengthen the hands of government; they have voted the most full and ample supplies. Convinced of the justice and necessity of securing the subordinate dependence of America, they have cheerfully co-operated in every proposition for securing the duty of your Majesty's subjects in that country, and their obedience to the legislative power of Great Britain. Your Majesty's faithful Commons, whatever measures may have been taken for the security of both, by a proper exertion of the strength of this country, do not wish for conquest, but for peace and conciliation. And, trusting to your Majesty's parental attention to the interests of every part of the empire, they have a full reliance on your Majesty's wisdom and goodness, that the present disputes with America will be happily terminated; and peace established on so firm a basis, as to prevent a return of the same evil in times to come.

His Majesty having passed the bills, put an end to the session with the following speech.

My Lords and Gentlemen.

The conclusion of the public business, and the advanced season of the year, make it proper for me to give you some recess; but I cannot put an end to this session without assuring you, that the fresh instances of your affectionate attachment to me, and of your steady attention and adherence

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Speech.

rence to the true interests of your country, which you have shewn through the whole course of your important deliberations, afford me the highest satisfaction.

No alteration has happened in the state of foreign affairs since your meeting; and it is with pleasure I inform you, that the assurances which I have received of the dispositions of the several powers in Europe, promise a continuance of the general tranquility.

Gentlemen of the House of Commons,

It was with real regret and concern that I found myself under the necessity of asking of my faithful Commons any extraordinary supplies: I thank you for the readiness and dispatch with which they have been granted; and they are the more acceptable to me, as you have shewn, in the manner of raising them, an equal regard to the exigencies of the service, and the ease of my people; and you may be assured, that the confidence you repose in me shall be used with proper frugality, and applied only to the purposes for which it was intended.

My Lords and Gentlemen,

We are engaged in a great national cause, the prosecution of which must inevitably be attended with many difficulties, and much expence: but when we consider that the essential rights and interests of the whole empire are deeply concerned in the issue of it, and can have no safety or security but in that constitutional subordination for which we are contending, I am convinced that you will not think any price too high for the preservation of such objects.

I will still entertain a hope that my rebellious subjects may be awakened to a sense of their errors, and that, by a voluntary return to their duty, they will justify me in bringing about the favourite wish of my heart, the restoration of harmony and the re-establishment of order and happiness in every part of my dominions. But if a due submission should not be obtained from such motives and such dispositions on their part, I trust that I shall be able, under the blessing of Providence, to effectuate it by a full exertion of the great force with which you have entrusted me.

By accident the following speech was omitted, upon Sir James Lowther's motion, relative to the employing of foreign troops in the dependencies of Great Britain, without the previous consent of Parliament.

Hon. Temple Luttrell spoke last in the debate (*see vol. iii. p. 494*) Hon. Temple Luttrell. said, he had no intention of detaining the House on that occasion at so late an hour of the night, but for his just receiving assurances from a worthy member near the door, who supposed he was quitting the House without waiting a division, that if he would stay and attend to Mr. Attorney General, it would be impossible to have another doubt left upon the legality of such a power as was now asserted by the crown. He had therefore, listened with the most earnest attention to that first advocate of the bar, without the promised conviction; so far from it, his arguments served but to confirm the doctrine laid down by the honourable Baronet who so ably introduced this motion. He did believe, however, that if it were within the compass of professional finesse, or florid eloquence, that gentleman, who spoke last, would have come off triumphant over all his scruples; was truly concerned, he could not be assisted with the lights of that other great luminary of the law Mr. Solicitor General, who at the beginning of the evening, was from every quarter of the House, expected to shine forth with more than usual lustre. He thought that honourable member, considered himself as pledged to Parliament to maintain his former proposition on this topic, that his Majesty might not only, by virtue of his prerogative, introduce foreign troops into the dependencies of Great Britain without consulting the will of Parliament, but might do the same into any of the sea-ports of this island, or even into the Tower of London. He could have told that honourable member, that previous to the Revolution, there were no standing forces ever known in this country, excepting the King's personal guards, but which were constantly kept as garrisons in fortresses near our coasts. Here Mr. Luttrell drew a picture of the Solicitor sneaking (as he termed it) behind the Speaker's chair; and then observed on what had fallen from the several lawyers who, he said, had struggled in this debate to uphold the mischievous and unconstitutional tenets of administration; and applied a saying of Lewis the Twelfth of France, that lawyers do with their law as shoemakers do with their leather;

leather; they pinch it, twist it, beat it, and stretch it, till it suits whatever measure they aim at: this was however a measure none of the very ingenious gentlemen of the long robe could bring the most pliant leather of his law exactly to fit. Even Mr. Attorney General, who he must, in justice, allow to be the very Crispin of his trade, had found it a job *ultra crepidam*. The honourable member who made the motion, and his friend near him [Governor Johnstone] who seconded him, had clearly shewn, that the introduction of foreign troops, without consent of Parliament, was ever considered, in the English law, as contrary to the fundamental constitutions of the realm: proofs had been given, that it was expressly so declared in the reigns of our Edwards and Henrys; and in late times, by the spirit of the bill of rights: that these declarations were an affirmance of the law as it stood in the time of *magna-charta*; which law was in being before the accession of the Plantagenets or Norman kings, and was probably established in the Saxon reigns earlier than the days of the Confessor. A gentleman on the other side of the House had ended his speech with a curious exultation, "thank God, the zeal of foreign troops is not wanting for the present war." Mr. Luttrell compared this critical conjuncture to the æra of the Revolution, when King James the Second demanded the Scotch Dutch, but had been refused by the States-General, who answered, that they had granted them to crush rebellion in the duke of Monmouth's revolt, but they should never be used as instruments to subvert the liberties of Great Britain.

I am sorry to learn, that our national troops, even the guards in this capital, are so ready as the honourable gentleman tells you, to spill the blood of their countrymen, armed in a cause worthy of Britons. Recollect the first dawn of the glorious Revolution, which gave this diadem to the family of Brunswick. British soldiers then held different maxims of military obligations in the land of civil liberty, I marvel that we have never voted in this House the charge of a superb monumental column and inscription, to commemorate the patriotism of the Earl of Litchfield's regiment in the year 1688, when they did more essential service to their country by laying down their arms, than any military corps could ever boast of in the field, accoutered at all points; they justly preferred the civil and religious rights of their country,

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country, to the arbitrary mandates of any monarch: they, Sir, thought, almost to a man, with a noble military Peer in the other House of Parliament [Earl of Effingham] to whose desert, it would be presumption in me to attempt to do justice, with the brightest colours of language I could command: the strong sentiments of veneration for his character, with which I feel myself impressed, go somewhat nearer to pay him that tribute of gratitude which is due to him from every man who wishes well to this empire. He, Sir, considered the duty of a good citizen, to be paramount to that of a good soldier; that, his obedience to his sovereign, however important, however sacred, was but a *secondary* consideration, his *first* allegiance, his *first* service to the public.

We learn from Rapin, and other credible authorities, that, previous to the Revolution, a letter from the prince of Orange to the officers of the English army, and another from admiral Herbert to the English fleet, by his highness's order, were printed and published in London; the design of which was, to inform the army and navy of the true intentions of the prince, and to represent to them, that, in being the King's instrument to accomplish his designs, they were labouring their own ruin: the officers, soldiers, and seamen, were conjured not to suffer themselves to be abused by a false notion of honour, to serve their king contrary to the manifest interest of their country. These two letters (adds the historian) had a wonderful effect upon officers, soldiers, and sailors, so that from this time they resolved not to draw their swords in so wrongful a quarrel. In my opinion, nothing ought to be more seriously alarming to the subjects of this country, and its several dependencies, than to hear the modern language but too universally held both in public and private, by our best officers in the army: "*they are obliged in honour to execute implicitly the orders of their sovereign, while they hold a commission under him.*" I maintain, Sir, that every military commission to serve in the British army, whether in foreign or domestic employ, is from their country, tho' the nomination depends immediately on the sovereign, as the executive hand of the state: and when a King of Great Britain bestows any commission whatever, and on whomsoever it may be, from a field-marshal to an ensign, it is virtually with the same implied terms which were so nobly expressed by one of the most enterprising as well as one of the most humane and wisest of the Roman emperors;

emperors; "Take this sword" (said Trajan, when he presented it as the badge of office to Saburanus, whom he had appointed prefect of the Pretorian guards) "remember, it is your duty to use it for my defence while I govern *well*; if I govern *ill*, your duty to your country, *beyond your duty to me*, will oblige you, as a good citizen and an honest man, to use it for my destruction."

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NEW COMMISSION

OF THE

GOVERNOR

OF

QUEBEC;

AND OTHER

INSTRUMENTS

OF

AUTHORITY,

DERIVED FROM THE

CROWN

RELATIVE TO

AMERICA.

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The New Commission of the Governor of
the Province of QUEBECK.

GEORGE the THIRD, by the Grace of God, of Great Britain,
France, and Ireland, King, Defender of the Faith, &c. To
our trusty and well-beloved Guy Carleton, Esquire, greeting.

WHEREAS we did by our letters patent under our great
seal of Great Britain, bearing date at Westminster the
twelfth day of April, in the eighth year of our reign, consti-
tute and appoint you to be our captain general and governor
in chief in and over our province of Quebec in America,
bounded on the Labrador coast by the river St. John, and
from thence by a line drawn from the head of that river
through the lake St. John to the south-east of lake Nipissin,
from whence the said line, crossing the river St. Lawrence
and lake Champlain in forty-five degrees of northern lati-
tude, passes along the high lands, which divide the rivers
that empty themselves into the said river St. Lawrence, from
those which fall into the sea, and also along the north coast of
the bay *des Chaleurs*, and the coast of the gulph of St. Law-
rence to cape Rozières, and from thence crossing the mouth
of the river St. Lawrence by the west end of the island of
Anticosti, terminates at the aforesaid river St. John, toge-
ther with all the rights, members, and appurtenances what-
soever thereunto belonging, for and during our will and
pleasure, as by the said recited letters patent, relation being
thereunto had, may more fully and at large appear. And
whereas we did also by our letters patent under our great seal
of Great Britain, bearing date at Westminster, the
day of in the year of our reign, con-
stitute and appoint Molineux Shuldham, esq. to be our go-
vernor

Revocation
of the last
patent.

Commission
to be capt.
gen. and
gov. in chief
of the pro-
vince.

Boundaries
of the pro-
vince.

vernor and commander in chief in and over our island of Newfoundland, and all the coast of Labrador, from the entrance of Hudson's streights to the river St. John, which discharges itself into the sea nearly opposite the west end of the island of Anticosti, including that island, with any other small islands on the said coast of Labrador, and also the islands of Madelaine in the gulph of St. Lawrence, as also of all our forts and garrisons erected and established in our said islands of Newfoundland, Anticosti, and Madelaine, or on the coast of Labrador within the limits aforesaid, for and during our will and pleasure, as by the said letters patent, relation being thereunto had, may more fully and at large appear. Now know you, that we have revoked and determined, and by these presents revoke and determine, the said recited letters patent granted to you, the said Guy Carleton, as aforesaid, and every clause, article, and thing therein contained; and that we have also revoked and determined, and do by these presents revoke and determine so much and such part of the said recited letters patent granted to Molineux Shuldham, esq. as aforesaid, as relates to the coast of Labrador, including the island of Anticosti, with any other small islands on the said coast of Labrador, and every clause, article, and thing therein contained, so far as the same relates to the said coast of Labrador, and the islands herein before recited. And further know you, that we reposing especial trust and confidence in the prudence, courage, and loyalty of you, the said Guy Carleton, of our especial grace, certain knowledge, and mere motion, have thought fit to constitute and appoint you, the said Guy Carleton, to be our captain-general and governor in chief in and over our province of Quebeck in America, comprehending all our territories, islands, and countries in North America, bounded on the south by a line from the bay of Chaleurs along the high lands, which divide the rivers that empty themselves into the river St. Lawrence, from those which fall into the sea, to a point in forty-five degrees of northern latitude, on the eastern bank of the river Connecticut; keeping the same latitude directly west through the lake Champlain, until in the same latitude it meets with the river St. Lawrence, from thence up the eastern bank of the said river to the lake Ontario, thence through the lake Ontario, and the river, commonly called Niagara, and thence along by the eastern and south eastern bank of lake Erie, following the said bank, until the same shall be intersected

sected by the northern boundary granted by the charter of the province of Pensylvania, in case the same shall be so intersected, and from thence along the said northern and western boundaries of the said province, until the said western boundary strikes the Ohio ; but, in case the said bank of the said lake shall not be found to be so intersected, then following the said bank, until it shall arrive at the point of the said bank, which shall be nearest to the north-western angle of the said province of Pensylvania, and thence by a right line to the said north-western angle of the said province, and thence along the western boundary of the said province, until it strikes the river Ohio, and along the bank of the said river westward to the banks of Mississippi, and northward along the eastern bank of the said river to the southern boundary of the territory granted to the merchants adventurers of England trading to Hudson's Bay ; and also all such territories, islands, and countries, which have, since the tenth of February, 1763, been made part of the government of Newfoundland, as aforesaid, together with all the rights, members, and appurtenances whatsoever thereunto belonging.

And we do hereby require and command you to do and execute all things in due manner, that shall belong to your said command, and the trust we have reposed in you, according to the several powers and directions granted or appointed you by this present commission, and the instructions and authorities herewith given unto you, or by such further powers, instructions, and authorities as shall at any time hereafter be granted or appointed you under our signet or sign manual, or by our order in our privy council, and according to such ordinances as shall hereafter be made and agreed upon by you, with the advice and consent of the council of our said province under your government, in such manner and form as is herein after expressed.

And our will and pleasure is, that you, the said Guy Carleton, do, after the publication of these our letters patent, in such manner and form as has been accustomed to be used on like occasions, in the first place take the oaths appointed to be taken by an act passed in the first year of the reign of King George the First, intituled, "*An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors ;* and by an act passed

Gov. to act according to the powers and directions of this commission, and according to the King's instructions.

Oaths to be taken by the gov.

Those appointed by 1 Geo. 1.

Those appointed by
6 Geo. III.

Declaration
against trans-
substantion,
25 Car. II.
Oath of of-
fice, and
oath con-
cerning the
law of trade.

Oaths to be
taken by
members of
the council.

Those of
the romish
religion,
exempt
from all
oaths;

in the sixth year of our reign, intituled, "*An act for altering the oath of abjuration, and the assurance; and for amending so much of an act of the seventh year of her late majesty Queen Anne, intituled, An act for the improvement of the union of the two kingdoms, as, after the time therein limited, requires the delivery of certain lists and copies therein mentioned, to persons indicted of high treason, or misprision of treason;*" as also that you make and subscribe the declaration mentioned in an act of parliament, made in the twenty-fifth year of the reign of King Charles the Second, intituled, "*An act for preventing dangers which may happen from Popish recusants;*" and likewise that you take the oath usually taken by the governors in the plantations, for the due execution of the office and trust of our captain-general and governor in and over our said province, and for the due and impartial administration of justice; and further that you take the oath required to be taken by governors of the plantations, to do their utmost, that the several laws relating to trade and the plantations be duly observed; which said oaths and declaration our council of our said province, or any three of the members thereof, have hereby full power and authority, and are required to tender and administer to you; all which being duly performed, you shall yourself administer to each of the members of our said council, (except as herein after excepted) the said oaths mentioned in the said acts, intituled, "*An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors;*" and "*An act for altering the oath of abjuration, and the assurance, and for amending so much of an act of the seventh year of her late majesty Queen Anne, intituled, An act for the improvement of the union of the two kingdoms, as after the time therein limited, requires the delivery of certain lists and copies, therein mentioned, to persons indicted of high treason, or misprision of treason;*" as also cause them to make and subscribe the aforementioned declaration, and to administer unto them the usual oath for the due execution of their places and trusts.

And whereas we may find it expedient for our service, that our council of our said province should be in part composed of such of our Canadian subjects, or their descendants, as remain within the same under the faith of the treaty of Paris, and who may profess the religion of the church of Rome; it is therefore our will and pleasure, that in all cases where

where such persons shall or may be admitted, either into our said council or into any other offices, they shall be exempted from all tests, and from taking any other oath than that prescribed in and by an act of parliament, passed in the fourteenth year of our reign, intituled, "*An act for making more effectual provision for the government of the province of Quebec in North America*"; and also the usual oath for the due execution of their places and trusts respectively.

except that
prescribed
by stat. 14
Geo. III.

And we do further give and grant unto you, the said Guy Carleton, full power and authority from time to time, and at any time hereafter, by yourself, or by any other to be authorized by you in that behalf, to administer and give the oaths mentioned in the said acts, intituled, "*An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors*," and, "*An act for altering the oath of abjuration, and the assurance; and for amending so much of an act of the seventh year of her late majesty Queen Anne, intituled, An act for the improvement of the union of the two kingdoms, as, after the time therein limited, requires the delivery of certain lists and copies therein mentioned, to persons indicted of high treason, or misprision of treason*," to all and every such person or persons, as you shall think fit, who shall at any time or times pass into our said province, or shall be resident or abiding there.

Power for
the gover-
nor to ad-
minister or
impower o-
thers to ad-
minister the
said oaths.

And we do hereby authorize and impower you to keep and use the public seal of our province of Quebec for sealing all things whatsoever, that shall pass the great seal of our said province.

Power to use
public seal.

And we do hereby give and grant unto you, the said Guy Carleton, full power and authority, with the advice and consent of our said council, to make ordinances for the peace, welfare, and good government of the said province, and of the people and inhabitants thereof, and such others, as shall resort thereunto, and for the benefit of us, our heirs, and successors; provided always, that nothing herein contained shall extend, or be construed to extend to the authorizing and empowering the passing any ordinance or ordinances for laying any taxes or duties within the said province, such rates and taxes only excepted, as the inhabitants of any town or district within our said province may be authorized

Power with
consent of
the council
to make or-
dinances;

which shall
be transmitted to Eng-
land within
six months;

thorized by any ordinance passed by you, with the advice and consent of the said council, to assess, levy, and apply within the said town or district for the purpose of making roads, erecting and repairing public buildings, or for any other purpose respecting the local convenience and œconomy of such town or district; provided also, that every ordinance, so to be made by you, by and with the advice and consent of the said council, shall be, within six months from the passing thereof, transmitted to us under our seal of our said province for our approbation or disallowance of the same; as also duplicates thereof by the next conveyance; and in case any, or all of the said ordinances shall at any time be disallowed and not approved, and so signified by us, our heirs and successors by order in their, or our privy council unto you, the said Guy Carleton, or to the commander in chief of our said province for the time being, then such and so many of the said ordinances, as shall be so disallowed and not approved, shall from the promulgation of the said order in council within the said province cease, determine and become utterly void and of no effect; provided also, that no ordinance touching religion, or by which any punishment may be inflicted greater than fine or imprisonment for three months, shall be of any force or effect, until the same shall have been allowed and confirmed by us, our heirs and successors, and such allowance or confirmation signified to you, or to the commander in chief of our said province for the time being, by their or our order in their or our privy council.

But none to
pass unless a
majority of
the council
be present,
or between
Jan. 1, and
May 1.

Provided also, that no ordinance shall be passed at any meeting of the council, where less than a majority of the whole council is present, or at any time, except between the first day of January and the first day of May, unless upon some urgent occasion; in which case every member thereof resident at the town of Quebec, or within fifty miles thereof, shall be personally summoned to attend the same: and to the end that nothing may be passed or done by our said council to the prejudice of us, our heirs, and successors, we will and ordain, that you, the said Guy Carleton, shall have and enjoy a negative voice in the making and passing of all ordinances, as aforesaid.

Govern. to
have a ne-
gative voice.

Power with
consent of
the council
to erect
courts of
judicature;

And we do by these presents give and grant unto you, the said Guy Carleton, full power and authority, with the advice and consent of our said council, to erect, constitute, and establish such and so many courts of judicature and public

public justice within our said province under your government, as you and they shall think fit and necessary for the hearing and determining all causes, as well criminal as civil, and for awarding execution thereupon, with all reasonable and necessary powers, authorities, fees, and privileges belonging thereunto; as also to appoint and commissionate fit persons ^{and to commissionate fit persons to administer the afore-said oaths to persons belonging to such courts.} in the several parts of your government to administer the oaths mentioned in the afore-said acts, intituled, "*An act for the further security of his Majesty's person and government; and the succession of the crown in the heirs of the late princess Sophia, being protestants; and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors;*" and, "*An act for altering the oath of abjuration, and the assurance; and for amending so much of an act of the seventh year of her late majesty queen Anne, intituled, An act for the improvement of the union of the two kingdoms, as, after the time therein limited, requires the delivery of certain lists and copies, therein mentioned, to persons indicted of high treason, or misprision of treason;*" as also to tender and administer the afore-said declaration to such persons belonging to the said courts, as shall be obliged to take the same.

And we do hereby grant unto you full power and authority ^{Power to appoint judges, commissioners of Oyer and Terminer, justices of the peace, and other officers of justice.} to constitute and appoint judges, and in cases requisite commissioners of Oyer and Terminer, justices of the peace, sheriffs, and other necessary officers and ministers in our said province for the better administration of justice, and putting the laws in execution; and to administer or cause to be administered unto them such oath or oaths, as are usually given for the due execution and performance of offices and places, and for the clearing of truth in judicial causes.

And we do hereby give and grant unto you full power and authority, where you shall see cause, or shall judge any offender or offenders in criminal matters, or for any fines or forfeitures due unto us, fit objects of our mercy, to pardon all such offenders, and remit all such offences, fines, and forfeitures; treason and wilful murder only excepted; in which cases you shall likewise have power upon extraordinary occasions to grant reprieves to the offenders, until, and to the intent our royal pleasure may be known therein. ^{Power to pardon crimes.}

And we do by these presents give and grant unto you full power and authority to collate any person or persons to any ^{Power to collate to ecclesiastical benefices.} churches,

churches, chapels, or other ecclesiastical benefices within our said province, as often as any of them shall happen to be void.

Power to levy troops and employ them against enemies, pirates, and rebels;

and to execute martial law, in time of war.

Power with consent of the council, to build forts and castles; and to fortify and furnish them with arms, &c. and to demolish or dismantle them.

Power to appoint captains and other officers of ships, and to grant them commissions to execute the law martial.

And we do hereby give and grant unto you, the said Guy Carleton, by yourself, or by your captains and commanders by you to be authorized, full power and authority to levy, arm, muster, command, and employ all persons whatsoever residing within our said province; and, as occasion shall serve, them to march, embark, or transport from one place to another, for the resisting and withstanding of all enemies, pirates, and rebels both at land and sea; and to transport such forces to any of our plantations in America, if necessity shall require, for defence of the same against the invasion or attempts of any of our enemies; and such enemies, pirates and rebels, if there shall be occasion, to pursue and prosecute in, or out of, the limits of our said province; and, if it shall so please God, them to vanquish, apprehend, and take, and, being taken, according to law to put to death, or keep or preserve alive at your discretion, and to execute martial law in time of invasion, war, or other times, when by law it may be executed; and to do and execute all and every other thing and things, which to our captain-general and governor in chief doth or of right ought to belong.

And we do hereby give and grant unto you full power and authority, by and with the advice and consent of our said council, to erect, raise, and build in our said province such and so many forts, platforms, castles, cities, boroughs, towns, and fortifications, as you by the advice aforesaid shall judge necessary; and the same or any of them to fortify and furnish with ordnance, ammunition, and all sorts of arms fit and necessary for the security and defence of our said province; and, by the advice aforesaid, the same again, or any of them to demolish or dismantle, as may be most convenient.

And forasmuch as divers mutinies and disorders may happen by persons shipped and employed at sea, during the time of war; and to the end, that such, as shall be shipped and employed at sea during the time of war, may be better governed and ordered, we do hereby give and grant unto you, the said Guy Carleton, full power and authority to constitute and appoint captains, lieutenants, masters of ships, and other commanders and officers; and to grant to such captains, lieutenants, masters of ships, and other commanders

manders and officers, commissions to execute the law martial during the time of war, according to the directions of an act passed in the twenty-second year of the reign of our late royal grandfather, intituled, "*An act for amending, explaining, and reducing into one act of parliament, the laws relating to the government of his Majesty's ships, vessels, and forces by sea;*" and to use such proceedings, authorities, punishments, corrections, and executions upon any offender or offenders, who shall be mutinous, seditious, disorderly, or any way unruly either at sea, or during the time of their abode or residence in any of the ports, harbours, or bays in our said province, as the case shall be found to require, according to martial law; and the said directions, during the the time of war, as aforesaid.

Provided, that nothing herein contained shall be construed to the enabling you, or any by your authority to hold plea, or have any jurisdiction of any offence, cause, matter, or thing committed or done upon the high sea, or within any of the havens, rivers, or creeks of our said province under your government, by any captain, commander, lieutenant, master, officer, seaman, soldier, or person whatsoever, who shall be in actual service and pay, in or on board any of our ships of war, or other vessels acting by immediate commission or warrant from our commissioners for executing the office of our high admiral of Great Britain, or from our high admiral of Great Britain for the time being, under the seal of our admiralty; but that such captain, commander, lieutenant, master, officer, seaman, soldier, or other person so offending, shall be left to be proceeded against, and tried, as their offences shall require, either by commission under our great seal of this kingdom, as the statute of the twenty-eighth of Henry VIII. directs; or by commission from our said commissioners for executing the office of high admiral of Great Britain, or from our high admiral of Great Britain for the time being, according to the aforementioned act, intituled, "*An act for amending, explaining, and reducing into one act of parliament, the laws relating to the government of his Majesty's ships, vessels, and forces by sea;*" and not otherwise.

This shall not affect any officers, &c. on board ships commissioned by the admiralty, when they commit offences either on the high sea, or in any river, creek, or haven.

But these persons shall be tried for such offences either by commissions under the great seal of Great Britain or by commission from the admiralty.

Provided nevertheless, that all disorders and misdemeanors committed on shore by any captain, commander, lieutenant, master, officer, seaman, soldier, or other person whatsoever belonging to any of our ships of war, or other vessels acting

But for offences committed on shore, those persons shall be tried and

punished according to the laws of the place where the offence shall be committed.

by immediate commission or warrant from our commissioners for executing the office of high admiral of Great Britain, or from our high admiral of Great Britain for the time being, under the seal of our admiralty, may be tried and punished according to the laws of the place, where any such disorders, offences, and misdemeanors shall be committed on shore; notwithstanding such offender be in our actual service, and borne in our pay on board any such our ships of war, or other vessels acting by immediate commission, or warrant from our commissioners for executing the office of high admiral of Great Britain, or from our high admiral of Great Britain for the time being, as aforesaid, so as he shall not receive any protection for the avoiding of justice for such offences committed on shore from any pretence of his being employed in our service at sea.

Power with consent of the council to dispose of public monies, for support of government
Power with consent of the council, to grant lands.

And our further will and pleasure is, that all public monies granted and raised for the public uses of our said province, be issued out by warrant from you, by and with the advice and consent of our council, as aforesaid, for the support of the government, and not otherwise.

Grants to be under the public seal and to be registered.

And we likewise give and grant unto you full power and authority, by and with the advice and consent of our said council, to settle and agree with the inhabitants of our said province for such lands, tenements, and hereditaments, as now are, or hereafter shall be in our power to dispose of, and them to grant to any person or persons upon such terms and under such moderate quit-rents, services, and acknowledgements to be thereupon reserved unto us, as you, with the advice aforesaid, shall think fit; which said grants are to pass, and be sealed by our public seal of our said province, and being entered upon record by such officer or officers as shall be appointed thereunto, shall be good and effectual in law against us, our heirs and successors.

Power, with consent of the council to appoint fairs, &c.

And we do hereby give you the said Guy Carleton full power and authority to order and appoint fairs, marts, and markets; as also such and so many ports, harbours, bays, havens, and other places for the conveniency and security of shipping, and for the better loading and unloading of goods and merchandizes, in such and so many places, as by you, with the advice and consent of our said council, shall be thought fit and necessary.

All officers, &c. to aid and assist the

And we do hereby require and command all officers and ministers, civil and military, and all other inhabitants of
our

our said province to be obedient, aiding, and assisting unto you, the said Guy Carleton, in the execution of this our commission, and of the powers and authorities therein contained; and in case of your death or absence from our said province and government, to be obedient, aiding, and assisting, as aforesaid, to the lieutenant governor or commander in chief for the time being, to whom we do therefore by these presents give and grant all and singular the powers and authorities herein granted to be by him executed and enjoyed, during our pleasure, or until your arrival within our said province.

And if upon your death or absence out of our said province, there be no person upon the place commissioned or appointed by us to be lieutenant governor or commander in chief of our said province; our will and pleasure is, that the eldest councillor, being a natural born subject of Great Britain, Ireland, or the plantations, and professing the protestant religion, who shall be at the time of your death or absence residing within our said province, shall take upon him the administration of the government, and execute our said commission and instructions, and the several powers and authorities therein contained, in the same manner and to all intents and purposes, as other our governor or commander in chief should or ought to do, in case of your absence, until your return, and in all cases until our further pleasure be known therein.

And we do hereby declare, ordain, and appoint, that you, the said Guy Carleton, shall and may hold, execute, and enjoy the office and place of our captain general and governor in chief, in and over our said province of Quebeck, and all the territories dependent thereon; with all and singular the powers and authorities hereby granted unto you, for and during our will and pleasure.

In witness whereof we have caused these our letters to be made patent; witness ourself at Westminster, the day of in the year of our reign,

governor in
the execu-
tion of his
commission.

who to be
commander
in chief of
the pro-
vince, in
case of the
death or ab-
sence of the
governor.

This office
to be held
during the
King's plea-
sure.

Former COMMISSION of CAPTAIN GENERAL and GOVERNOUR in CHIEF of the Province of QUEBECK.*

G. R.

GEORGE the THIRD, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, to our trusty and well-beloved JAMES MURRAY, Esquire, Greeting :

Commission
to be cap-
tain general
and gover-
nour in
chief of the
province.

Boundaries
of the pro-
vince.

WE, reposing especial trust and confidence in the prudence, courage and loyalty of you, the said James Murray, of our especial grace, certain knowledge and mere motion, have thought fit to constitute and appoint, and by these presents do constitute and appoint you, the said James Murray, to be our captain general and governour in chief in and over our province of Quebeck in America ; bounded on the Labrador coast by the river St. John ; and from thence by a line drawn

* *Articles of capitulation granted by Sir Geoffry Amherst to the Canadians, upon the surrender of Montreal and the whole province of Canada to the British arms, in September, 1760.*

[N. B. *The articles that are here omitted are intirely of a temporary nature, and no way affect the present constitution of the province.*]

Art. IV. The militia, after being come out of the above towns, forts, and posts, shall return to their homes without being molested, on any pretence whatsoever, on account of their having carried arms. *Granted.*

Art. VII. The magazines, the artillery, firelocks, sabres, ammunition of war, and in general, every thing that belongs to his most Christian Majesty, as well in the towns of Montreal, and Trois Rivieres, as in the forts and posts mentioned in the third article, shall be delivered up, according to exact inventories, to the commissioners, who shall be appointed to receive the same in the name of his Britannic Majesty. Duplicates of the said inventories shall be given to the Marquis de Vaudreuil.

This is every thing that can be asked on this article.

Art. XII. The most convenient method that can be found shall be appointed to carry the Marquis de Vaudreuil, by the straightest passage, to the first sea port in France. The necessary accommodation shall be made for him, the Marquis de Vaudreuil, M. de Rigaud, governor of Montreal, and the suite of this general. This vessel shall be properly victualled at the expence of his Britannic Majesty ; and the Marquis de Vaudreuil shall take with him his papers, without their being examined ; and his equipage, plate, baggage, and also those of his suite.

Granted, except the archives, which shall be necessary for the government of the country.

Art. XXI. The English general shall also provide ships for carrying to France the officers of the supreme council, of justice, police, admiralty, and all other officers, having commissions or brevets from his most Christian majesty, for them, their families, servants, and equipages, as well as for the other officers : and they

drawn from the head of that river through the lake St. John to the south end of the lake Nipissim, from whence the said line crossing the river St. Lawrence and the lake Champlain, in forty-five degrees of northern latitude, passes along the high lands which divide the rivers that empty themselves into the said river St. Lawrence from those which fall into the sea; and also along the north coast of the Baye des Chaleurs and the coast of the gulf of St. Lawrence to Cape Rosieres; and from thence crossing the mouth of the river St. Lawrence by the west end of the island of Anticosti, terminates at the aforesaid river St. John: together with all the rights, members, and appurtenances whatsoever thereunto belonging.

And we do hereby require and command you to do and execute all things in due manner that shall belong to your said command and the trust we have reposed in you, according to the several powers and directions granted or appointed you by this present commission and the instructions and authorities herewith given unto you, or by such other powers, instructions, and authorities as shall at any time hereafter be granted or appointed under our signet and sign manual, or by our order The governor is to act according to the powers and directions of this commission, and according to the King's instructions in

they shall likewise be victualled at the expence of his Britannic Majesty. They shall, however, be at liberty to stay in the colony, if they think proper, to settle their affairs, or to withdraw to France, whenever they think fit.

Granted: but if they have papers relating to the government of the country, they are to be delivered to us.

Art. XXIV. The provisions, and other kind of stores which shall be found in the magazines of the commissary, as well in the towns of Montreal, and of Trois Rivières, as in the country, shall be preserved to him, the said provisions belonging to him, and not to the King, and he shall be at liberty to sell them to the French or English.

Every thing that is actually in the magazines, destined for the use of the troops, is to be delivered to the English commissary, for the King's forces.

Art. XXV. A passage to France shall likewise be granted on board of his Britannic Majesty's ships, as well as victuals to such officers of the India company, as shall be willing to go thither, and they shall take with them their families, servants, and baggage. The chief agent of the said company, in case he should chuse to go to France, shall be allowed to leave such person as he shall think proper till next year, to settle the affairs of the said company, and to recover such sums as are due to them. The said chief agent shall keep possession of all the papers belonging to the said company, and they shall not be liable to inspection. *Granted.* India company.

Art. XXVI. The said company shall be maintained in the property of the ecarlatines and castors, which they may have in the town of Montreal; they shall not be touched under any pretence whatever, and the necessary facilities shall be given to the chief agent, to send, this year, his castors to France, on board his Britannic Majesty's ships, paying the freight on the same footing as the English would pay it.

Granted, with regard to what may belong to the company, or to private persons; but if his most Christian majesty has any share in it, that must become the property of the King.

Art.

in our privy council, and according to such reasonable laws and statutes as shall hereafter be made and agreed upon by you with

Free exercise of the Roman Catholic religion.

Art. XXVII. The free exercise of the Catholic, Apostolic, and Roman religion, shall subsist intire; in such manner that all the states and the people of the towns and countries, places and distant posts, shall continue to assemble in the churches, and to frequent the sacraments as heretofore, without being molested in any manner directly or indirectly.

Payment of tithes and other church dues.

These people shall be obliged, by the English government, to pay to the priests, the tithes and all the taxes they were used to pay, under the government of his most Christian majesty.

Granted, as to the free exercise of their religion. The obligation of paying the tithes to the priests, will depend on the King's pleasure.

Art. XXVIII. The chapter, priests, curates, and missionaries, shall continue with an entire liberty, their exercise and functions of their cures, in the parishes of the towns and countries. *Granted.*

Power of the grand vicars to exercise ecclesiastical jurisdiction.

Art. XXIX. The grand vicars named by the chapter to administer to the diocese during the vacancy of the episcopal see, shall have liberty to dwell in the towns or country parishes as they shall think proper. They shall at all times be free to visit the different parishes of the diocese, with the ordinary ceremonies, and exercise all the jurisdiction they exercised under the French dominion. They shall enjoy the same rights in case of death of the future bishop, of which mention will be made in the following article.

Granted; except what regards the following article.

Nomination of the future bishops.

Art. XXX. If by the treaty of peace, Canada should remain in the power of his Britannic Majesty, his most Christian Majesty shall continue to name the bishop of the colony, who shall always be of the Roman communion, and under whose authority the people shall exercise the Roman religion. *Refused.*

Their power.

Art. XXXI. The bishop shall, in case of need, establish new parishes, and provide for the rebuilding of his cathedral and his episcopal palace; and, in the mean time, he shall have the liberty to dwell in the towns and parishes, as he shall judge proper. He shall be at liberty to visit his diocese with the ordinary ceremonies, and exercise all the jurisdiction which his predecessor exercised under the French dominion, save that an oath of fidelity, or a promise to do nothing contrary to his Britannic majesty's service, may be required of him.

This article is comprised under the foregoing.

Communities of nuns.

Art. XXXII. The communities of nuns shall be preserved in their constitutions and privileges. They shall continue to observe their rules. They shall be exempted from lodging any military, and it shall be forbid to trouble them in their religious exercises, or to enter their monasteries: safeguards shall even be given them if they desire them. *Granted.*

Jesuits, Recollet monks, and priests of Saint Sulpicius.

Art. XXXIII. The preceding article shall likewise be executed with regard to the communities of Jesuits and Recolets, and of the house of the priests of St. Sulpice at Montreal. These last, and the Jesuits, shall preserve their right to nominate to certain curacies and missions, as heretofore.

Refused till the King's pleasure be known.

Property of the religious communities and the priests.

Art. XXXIV. All the communities, and all the priests, shall preserve their moveables, the property and revenues of the seignories, and other estates which they possess in the colony, of what nature so ever they may be. And the same estates shall be preserved in their privileges, rights, honours and exemptions.

Granted.

Liberty to all the priests and monks to go to France, and to sell their estates.

Art. XXXV. If the canons, priests, missionaries, the priests of the seminary of the foreign missions, and of St. Sulpice, as well as the Jesuits and the Recolets, chuse to go to France, a passage shall be granted them in his Britannic Majesty's ships: and they shall all have leave to sell, in whole or in part, the estates and moveables which they possess in the colonies, either to the French or to the English, without the least hindrance or obstacle from the British government.

They

with the advice and consent of the council and assembly of our said province under your government, in such manner and form as is herein after expressed.

And

They may take with them, or send to France, the produce, of what nature soever it be, of the said goods sold, paying the freight, as mentioned in the 26th article. And such of the said priests, who chuse to go this year, shall be victualled during the passage, at the expence of his Britannic Majesty; and shall take with them their baggage.

They shall be masters to dispose of their estates, and to send the produce thereof, as well as their persons, and all that belongs to them to France.

Art. XXXVI. If, by the treaty of peace, Canada remains to his Britannic Majesty, all the French, Canadians, Acadians, merchants, and other persons, who chuse to retire to France, shall have leave to do so from the English general, who shall procure them a passage. And, nevertheless, if, from this time to that decision, any French or Canadian merchants, or other persons, shall desire to go to France, they shall likewise have leave from the English general. Both the one and the other shall take with them their families, servants, and baggage. *Granted.*

Art. XXXVII. The lords of manors, the military and civil officers, the Canadians, as well in the towns as in the country, the French settled or trading in the whole extent of the colony of Canada, and all other persons whatsoever, shall preserve the entire peaceable property and possession of their goods, noble and ignoble, moveable and immovable, merchandizes, furs, and other effects, even their ships; they shall not be touched, nor the least damage done to them, on any pretence whatsoever. They shall have liberty to keep, let, or sell them, as well to the French as to the English, to take away the produce of them, in bills of exchange, furs, specie, or other returns, whenever they shall judge proper to go to France, paying their freight, as in the 26th article. *Property of the laity of Canada.*

They shall also have the furs which are in the posts above, and which belong to them, and may be on the way to Montreal. And for this purpose they shall have leave to send, this year or the next, canoes, fitted out, to fetch such of the said furs as shall have remained in those parts.

Granted, as in the 26th article.

Art. XXXVIII. All the people who have left Acadia, and who shall be found in Canada, including the frontiers of Canada on the side of Acadia, shall have the same treatment as the Canadians, and shall enjoy the same privileges. *The Acadians.*

The King is to dispose of his antient subjects: in the mean time they shall enjoy the same privilege as the Canadians.

Art. XXXIX. None of the Canadians, Acadians, or French, who are now in Canada, and on the frontiers of the colony, on the side of Acadia, Detroit, Michilimakinac, and other places and posts of the countries above, the married and unmarried soldiers, remaining in Canada, shall be carried or transported into the English colonies, or to Old England, and they shall not be troubled for having carried arms.

Granted; except with regard to the Acadians.

Art. XL. The savages, or Indian allies of his most Christian Majesty, shall be maintained in the lands they inhabit, if they chuse to remain there; they shall not be molested on any pretence whatsoever, for having carried arms, and served his most Christian Majesty. They shall have, as well as the French, liberty of religion, and shall keep their missionaries. The actual vicars general, and the bishop, when the episcopal see shall be finished, shall have leave to send them new missionaries, when they shall judge it necessary. *The Indians in alliance with the French.*

Granted; except the last article, which has been already refused.

Art. XLI. The French, Canadians, and Acadians, of what state and condition soever, who shall remain in the colony, shall not be forced to take arms against his most Christian Majesty, or his allies, directly or indirectly, on any occasion. *Continuance of the French laws.*

Oaths to be
taken by the
governor.

And our will and pleasure is, that you, the said James Murray, do, after the publication of these our letters patent, and

casion whatsoever. The British government shall only require of them an exact neutrality.

They become subjects of the King.

Continuance
of the French
laws.

Art. XLII. The French and Canadians shall continue to be governed according to the custom of Paris, and the laws and usages established for this country; and they shall not be subject to any other imposts than those which were established under the French dominion.

Answered by the preceding articles, and particularly by the last.

Papers of
the govern-
ment.

Art. XLIII. The papers of the government shall remain, without exception, in the power of the Marquis de Vaudreuil, and shall go to France with him. These papers shall not be examined on any pretence whatsoever.

Granted, with the reserve already made.

Papers of
the inten-
dant's office,
and other
public pa-
pers.

Art. XLIV. The papers of the intendency of the offices of comptroller of the marine, of the antient and new treasurers, of the King's magazines, of the office of the revenues, and forges of St. Maurice, shall remain in the power of M. Bigot, the intendant, and they shall be embarked for France in the same vessel with him. These papers shall not be examined.

The same as to this article.

The registers
of the su-
preme coun-
cil, and of the
other courts
of justice in
the province.

Art. XLV. The registers, and other papers of the supreme council of Quebeck, of the provost, and admiralty of the said city; those of the royal jurisdiction of Trois Rivières, and of Montreal; those of the signeurial jurisdictions of the colony; the minutes of the acts of the notaries of the towns and of the countries; and, in general, the acts, and other papers that may serve to prove the estates and fortunes of the citizens, shall remain in the colony, in the rolls of the jurisdictions on which these papers depend. *Granted.*

Liberty of
trading as
British sub-
jects.

Art. XLVI. The inhabitants and merchants shall enjoy all the privileges of trade, under the same favours and conditions, granted to the subjects of his Britannic Majesty, as well in the countries above, as in the interior of the colony. *Granted.*

Negroes and
Panis slaves.

Art. XLVII. The negroes and panis, of both sexes, shall remain in their quality of slaves, in the possession of the French and Canadians to whom they belong; they shall be at liberty to keep them in their service in the colony, or to sell them, and they may also continue to bring them up in the Roman religion.

Granted; except those who shall have been made prisoners.

Liberty to
appoint at-
tornies to take
care of their
affairs, and
to sell their
lands and
goods, and
send the pro-
duce to Old
France.

Art. XLVIII. The Marquis de Vaudreuil, the general and staff officers of the land forces, the governors and staff officers of the different places of the colony, the military and civil officers, and all other persons who shall leave the colony, or who are already absent, shall have leave to name and appoint attorneys to act for them, and in their names, in the administration of their effects, moveable and immoveable, until the peace. And if, by the treaty between the two crowns, Canada does not return under the French dominions, these officers, or other persons, or attorneys for them, shall have leave to sell their manors, houses, and other estates, their moveables and effects, &c. to carry away, or send to France the produce, either in bills of exchange, specie, furs, or other returns, as is mentioned in the 37th article. *Granted.*

Those whose
goods have
been da-
maged shall
have justice.

Art. XLIX. The inhabitants and other persons who shall have suffered any damage in their goods, moveable and immoveable which remained at Quebeck, under the faith of the capitulation of that city, may make their representation to the British government, who shall render them due justice, against the person to whom it shall belong. *Granted.*

Art. L. and last. The present capitulation shall be inviolably executed in all its articles, and *bonâ fide* on both sides, notwithstanding any infraction and any other pretence, with regard to the preceding capitulations, and without making use of reprisals. *Granted.*

and after the appointment of our council for our said province,
in such manner and form as is prescribed in the instructions
which

*The Fourth Article of the Definitive Treaty of Peace, concluded between the KINGS
of GREAT BRITAIN and FRANCE, on the 10th Day of February, 1763;
containing the Cession of Canada to the Crown of Great Britain.*

HIS most Christian Majesty renounces all pretensions which he has heretofore *Cession of No-*
formed, or might form, to Nova Scotia, or Acadia, in all its parts, and guaran- *va Scotia or*
tees the whole of it, and all its dependencies, to the King of Great Britain. *Acadia.*

Moreover, his most Christian Majesty cedes and guarantees to his said Britannic *Cession of Ca-*
Majesty, in full right, Canada, with all its dependencies, as well as the island of *nada and*
Cape Breton, and all the other islands and coasts in the Gulf and River of St. Law- *Cape Breton,*
rence, and, in general, every thing that depends on the said countries, lands, islands *and the isles*
and coasts, with the sovereignty, property, possession, and all rights acquired by *and coasts in*
treaty or otherwise, which the most Christian King and the crown of France have *the gulf and*
had, till now, over the said countries, islands, lands, places, coasts, and their inha- *river of St.*
bitants, so that the most Christian King cedes and makes over the whole to the *Lawrence.*
said King, and to the crown of Great Britain, and that in the most ample manner
and form, without restriction, and without any liberty to depart from the said
guaranty, under any pretence, or to disturb Great Britain in the possessions above-
mentioned.

His Britannic Majesty, on his side, agrees to grant the liberty of the Catholic *Liberty of*
religion to the inhabitants of Canada: he will consequently give the most effec- *the Catholic*
tual orders, that his new Roman Catholic subjects may profess the worship of their *religion to*
religion, according to the rites of the Romish church, as far as the laws of Great *the Canadi-*
Britain permit. *ans.*

His Britannic Majesty farther agrees, that the French inhabitants, or others, *Liberty for*
who had been the subjects of the most Christian King in Canada, may retire with *the French*
all safety and freedom wherever they shall think proper, and may sell their estates, *King's sub-*
provided it be to subjects of his Britannic Majesty, and bring away their effects, *jects to retire*
as well as their persons, without being restrained in their emigration, under any *within 18*
pretence whatsoever, except that of debt, or of criminal prosecutions; the term *months.*
limited for this emigration shall be fixed to the space of eighteen months, to be
computed from the day of the exchange of the ratification of the present treaty.

The KING's PROCLAMATION of October 7, 1763.

G. R.

WHEREAS we have taken into our royal consideration the extensive and va-
luable acquisitions in America, secured to our crown by the late definitive treaty of
peace concluded at Paris the tenth day of February last; and being desirous that
all our loving subjects, as well of our kingdoms as of our colonies in America,
may avail themselves, with all convenient speed, of the great benefits and advanta-
ges which must accrue therefrom to their commerce, manufactures, and naviga-
tion, we have thought fit, with the advice of our privy council, to issue this our
royal proclamation, hereby to publish and declare to all our loving subjects, that
we have, with the advice of our said privy council, granted our letters patent un-
der our great seal of Great Britain, to erect within the countries and islands ceded
and confirmed to us by the said treaty, four distinct and separate governments,
stiled and called by the names of Quebeck, East Florida, West Florida, and Grena-
da, and limited and bounded as follows, viz.

First, The government of Quebeck, bounded on the Labrador coast by the river *Government*
St. John, and from thence by a line drawn from the head of that river, through *of Quebeck.*
the lake St. John, to the south end of the lake Nipissim; from whence the said
line, crossing the river St. Lawrence and the lake Champlain in forty-five degrees
of north latitude, passes along the high lands, which divide the rivers that empty
themselves into the said river St. Lawrence from those which fall into the sea;
and

which you will herewith receive, in the first place, take the oaths appointed to be taken by an act passed in the first year of

and also along the north coast of the *Baye des Chaleurs*, and the coast of the gulf of St. Lawrence to cape Rosieres, and from thence crossing the mouth of the river St. Lawrence by the west end of the island of Anticosti, terminates at the aforesaid river St. John.

Government of East Florida.

Secondly, The government of East Florida, bounded to the westward by the gulf of Mexico and the Apalachicola river; to the northward by a line drawn from that part of the said river where the Catabouchee and Flint rivers meet, to the source of St. Mary's river, and by the course of the said river to the Atlantick Ocean; and to the east and south by the Atlantick Ocean and the gulf of Florida, including all the islands within six leagues of the sea coast.

West Florida.

Thirdly, The government of West Florida, bounded to the southward by the gulf of Mexico, including all islands within six leagues of the coast from the river Apalachicola to lake Pontchartrain; to the westward by the said lake, the lake Maurepas and the river Mississippi; to the northward, by a line drawn east from that part of the river Mississippi which lies in thirty-one degrees of north latitude, to the river Apalachicola, or Catabouchee; and to the eastward by the said river.

Grenada.

Fourthly, the government of Grenada, comprehending the island of that name, together with the Grenadines, and the islands of Dominica, St. Vincent, and Tobago.

Enlargement of the government of Newfoundland.

And to the end that the open and free fishery of our subjects may be extended to, and carried on upon, the coast of Labrador and the adjacent islands, we have thought fit, with the advice of our said privy council, to put all that coast, from the river St. John's to Hudson's Straights, together with the islands of Anticosti and Madelaine, and all smaller islands lying upon the said coast, under the care and inspection of our governour of Newfoundland.

Enlargement of Nova-Scotia.

We have also, with the advice of our privy council, thought fit to annex the islands of St. John and Cape Breton, or Isle Royale, with the lesser islands adjacent thereto, to our government of Nova Scotia.

Enlargement of Georgia.

We have also, with the advice of our privy council aforesaid, annexed to our province of Georgia all the lands lying between the rivers Atamaha and St. Mary's.

Power to the governours of the new governments to summon general assemblies.

And whereas it will greatly contribute to the speedy settling our said new governments, that our loving subjects should be informed of our paternal care for the security of the liberty and properties of those who are and shall become inhabitants thereof; we have thought fit to publish and declare, by this our proclamation, that we have, in the letters patent under our Great Seal of Great Britain, by which the said governments are constituted, given express power and direction to our governors of our said colonies respectively, that so soon as the state and circumstances of the said colonies will admit thereof, they shall, with the advice and consent of the members of our council, summon and call general assemblies within the said governments respectively, in such manner and form as is used and directed in those colonies and provinces in America which are under our immediate government; and we have also given power to the said governours, with the consent of our said council and the representatives of the people, so to be summoned as aforesaid, to make, constitute and ordain laws, statutes and ordinances, for the public peace, welfare, and good government of our said colonies, and of the people and inhabitants thereof, as near as may be, agreeable to the laws of England, and under such regulations and restrictions as are used in the other colonies; and in the mean time, and until such assemblies can be called as aforesaid, all persons inhabiting in, or resorting to, our said colonies, may confide in our royal protection for the enjoyment of the benefit of

Power to make laws, with the consent of such assemblies.

The laws of England shall be observed in mean time.

the laws of our realm of England; for which purpose we have given power under our great seal to the governours of our said colonies respectively, to erect and constitute, with the advice of our said councils respectively, courts of judicature and public justice within our said colonies, for the bearing and determining all causes, as well criminal as civil, according to law and equity, and as near as may be, agreeable to the laws of England, with liberty to all persons who may think themselves agrieved by the sentence of such courts, in all civil cases, to appeal, under the usual limitations and restrictions, to us in our privy council.

We

of the reign of King George the first, intituled, "*An act for the further security of his Majesty's person and government, and the succession*"

We have also thought fit, with the advice of our privy council as aforesaid, to give unto our governours and councils of our said three new colonies upon the continent full power and authority to settle and agree with the inhabitants of our said new colonies, or any other person who shall resort thereto, for such lands, tenements, and hereditaments as are now, or hereafter shall be, in our power to dispose of, and them to grant to any such person or persons, upon such terms and under such moderate quit-rents, services, and acknowledgments as have been appointed and settled in other colonies, and under such other conditions as shall appear to us to be necessary and expedient for the advantage of the grantees, and the improvement and settlement of our said colonies. *Power to grant lands.*

And whereas we are desirous, upon all occasions, to testify our royal sense and approbation of the conduct and bravery of the officers and soldiers of our armies, and to reward the same, we do hereby command and empower our governours of our several three new colonies, and other our governours of our several provinces on the continent of North America, to grant, without fee or reward, to such reduced officers and soldiers as have served in North America, during the late war, and are actually residing there, and shall personally apply for the same, the following quantities of land, subject at the expiration of ten years, to the same quit-rents as other lands are subject to in the province within which they are granted, as also subject to the same conditions of cultivation and improvement, viz. *Lands to be granted to reduced officers and soldiers.*

To every person having the rank of a field officer, 5000 acres.

To every captain, 3000 acres.

To every subaltern or staff officer, 2000 acres.

To every non-commissioned officer, 200 acres.

To every private man, 50 acres.

We do likewise authorize and require the governours and commanders in chief of all our said colonies upon the continent of North America to grant the like quantities of land, and upon the same conditions, to such reduced officers of our navy of like rank as served on board our ships of war in North America at the times of the reduction of Louisbourg and Quebeck in the late war, and who shall personally apply to our respective governours for such grants. *And likewise to reduced officers of the navy.*

And whereas it is just and reasonable, and essential to our interest, and the security of our colonies, that the several nations or tribes of Indians, with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such parts of our dominions and territories as, not having been ceded to us, are reserved to them, or any of them, as their hunting grounds; we do therefore, with the advice of our privy council, declare it to be our royal will and pleasure, that no governour or commander in chief in any of our colonies of Quebeck, East Florida, or West Florida, do presume, upon any pretence whatever, to grant warrants of survey, or pass any patents, for lands beyond the bounds of their respective governments, as described in their commissions; as also that no governour or commander in chief of our other colonies or plantations in America do presume, for the present, and until our further pleasure be known, to grant warrants of survey, or pass patents, for any lands beyond the heads or sources of any of the rivers which fall into the Atlantic Ocean from the west or north-west, or upon any lands whatever, which, not having been ceded to or purchased by us as aforesaid, are reserved to the said Indians, or any of them. *No governor shall make grants of lands that have not been sold or ceded to the king by the Indians.*

And we do further declare it to be our royal will and pleasure, for the present, as aforesaid, to reserve under our sovereignty, protection, and dominion, for the use of the said Indians, all the land and territories not included within the limits of our said three new governments, or within the limits of the territory granted to the Hudson's Bay company; as also all the land and territories lying to the westward of the sources of the rivers which fall into the sea from the west and north-west as aforesaid; and we do hereby strictly forbid, on pain of our displeasure, *All the lands not included in the new governments shall be reserved for the Indians.*

succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors ;" as also that you make and subscribe the declaration mentioned in an act of parliament made in the twenty-fifth year of the reign of King Charles the second, intituled, "*An act for preventing dangers*

pleasure, all our loving subjects from making any purchases or settlements whatsoever, or taking possession of any of the lands above reserved, without our especial leave and license for that purpose first obtained.

All persons settled on the grounds reserved for the Indians are required to retire therefrom.

And we do further strictly enjoin and require all persons whatsoever, who have either wilfully or inadvertently seated themselves upon any lands within the countries above described, or upon any other lands which, not having been ceded to or purchased by us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such settlements.

No private person shall purchase any lands of the Indians.

And whereas great frauds and abuses have been committed in the purchasing lands of the Indians, to the great prejudice of our interests, and to the great dissatisfaction of the said Indians ; in order therefore to prevent such irregularities for the future, and to the end that the Indians may be convinced of our justice and determined resolution to remove all reasonable cause of discontent, we do, with the advice of our privy council, strictly enjoin and require, that no private person do presume to make any purchase from the said Indians of any lands reserved to the said Indians, within those parts of our colonies where we have thought proper to allow settlement ; but if at any time any of the said Indians should be inclined to dispose of the said lands, the same shall be purchased only for us, in our name, in some public meeting or assembly of the said Indians, to be held for that purpose by the governour or commander in chief of our colony respectively within which they shall lie : and in case they shall lie within the limits of any proprietaries, conformable to such directions and instructions as we or they shall think proper to give for that purpose. And we do, by the advice of our privy council, declare and enjoin, that the trade with the said Indians shall be free and open to all our subjects whatever ; provided that every person who may incline to trade with the said Indians, do take out a license for carrying on such trade from the governour or commander in chief of any of our colonies respectively where such person shall reside, and also give security to observe such regulations as we shall at any time think fit, by ourselves or commissaries to be appointed for this purpose, to direct and appoint for the benefit of the said trade : and we do hereby authorize, enjoin and require the governours and commanders in chief of all our colonies respectively, as well those under our immediate government, as those under the government and direction of proprietaries, to grant such licences without fee or reward, taking especial care to insert therein a condition that such license shall be void, and the security forfeited, in case the person to whom the same is granted shall refuse or neglect to observe such regulations as we shall think proper to prescribe as aforesaid.

The trade with the Indians shall be free to all the King's subjects.

Power to seize and send back criminals, who fly from justice to the Indian country.

And we do further expressly enjoin and require all officers whatever, as well military as those employed in the management and direction of the Indian affairs within the territories reserved, as aforesaid, for the use of the said Indians, to seize and apprehend all persons whatever, who standing charged with treason, misprison of treason, murder, or other felonies or misdemeanors, shall fly from justice and take refuge in the said territory, and to send them under a proper guard to the colony where the crime was committed of which they shall stand accused, in order to take their trial for the same.

Given at our court of St. James's, the 7th day of October 1763, in the third year of our reign.

G O D Save the K I N G.

which

which may happen from *Popish recusants* ;” and likewise that you take the oath of office usually taken by our governours in the other colonies for the due execution of the office and trust of our captain general and governour in chief in and over our said province, and for the due and impartial administration of justice ; and further, that you take the oath required to be taken by the governours of the plantations to do their utmost that the several laws relating to trade and plantations be duly observed : which said oaths and declarations our council of our said province, or any three of the members thereof, have hereby full power and authority, and are hereby required, to tender and administer to you.*

All

* The following are oaths of allegiance and abjuration of the Pope's power, and the Pretender's right to the crown of Great Britain.

I. *The OATH of ALLEGIANCE.*

I A. B. do sincerely promise and swear, that I will be faithful, and bear true allegiance, to his Majesty King George. So help me GOD.

II. *The OATH of ABJURATION of the POPE's POWER.*

I A. B. do swear, that I do from my heart abhor, detest, and abjure, as impious and heretical, that damnable doctrine and position, that princes excommunicated or deprived by the Pope, or any authority of the see of Rome, may be deposed or murdered by their subjects, or any other whatsoever.

And I do declare, that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm. So help me GOD.

III. *The OATH of ABJURATION of the PRETENDER's RIGHT to the CROWN of GREAT BRITAIN.*

I A. B. do truly and sincerely acknowledge, profess, testify, and declare in my conscience, before God and the world, that our sovereign lord King George is the rightful King of this realm, and all other his Majesty's dominions thereunto belonging. *Acknowledgement of the King's right.*

And I do solemnly and sincerely declare, that I do believe in my conscience, that the person pretended to be prince of Wales, during the life of the late King James, and since his decease pretending to be, and taking upon himself the stile and title of, King of England, by the name of James the Third, or of Scotland, by the name of James the Eighth, or the stile and title of King of Great Britain, hath not any right or title whatsoever to the crown of this realm, or any other the dominions thereto belonging : and I do renounce, refuse, and abjure any allegiance or obedience to him. *Declaration against the Pretender's title ; and renunciation of all allegiance to him.*

And I do swear, that I will bear faith and true allegiance to his Majesty King George, and him will defend, to the utmost of my power, against all traitorous conspiracies and attempts whatsoever, which shall be made against his person, crown, or dignity. And I will do my utmost endeavour to disclose and make known to his Majesty, and his successors, all treasons and traitorous conspiracies which I shall know to be against him, or any of them. *Promise to defend the King and disclose all conspiracies.*

And I do faithfully promise, to the utmost of my power, to support, maintain, and defend the succession of the crown against him the said James, and all other persons whatsoever, which succession, by an act, intituled, “An act for the further limitation of the crown and better securing the rights and liberties of the subject,” is and stands limited to the princess Sophia, electress and dutchess dowager of Hanover, and heirs of her body, being protestants. *Promise to maintain the Protestant succession.*

And

Oaths to be taken by the council-lors, &c. of Montreal and Trois Rivieres.

All which being duly performed, you shall yourself administer to each of the members of our said council, and to the lieutenant-governours of Montreal and Trois Rivieres, the said oaths mentioned in the said act, intituled, "*An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales, and his open and secret abettors*;" and also cause them to make and subscribe the afore-mentioned declaration, and also shall administer unto them the usual oaths for the due execution of their places and trust.

And

Sincerity of all these declarations, according to the plain meaning of the words.

And all these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatsoever. And I do make this recognition, acknowledgment, abjuration, renunciation, and promise, heartily, willingly, and truly, upon the true faith of a christian. So help me GOD.

The foregoing oath of abjuration is that mentioned in the commission above-recited of captain general and governour in chief of the province of Quebec, granted to general Murray, which was passed in the life-time of the person pretending to be the son of King James the Second. Since the death of that Pretender it has been necessary to make some alteration in the wording of it; and this has been done by the statute of the 6th year of the reign of his present Majesty, by which the following oath of abjuration is enjoined to be taken instead of the former.

IV. *The OATH of ABJURATION of the RIGHT of any of the DESCENDANTS of the late King JAMES the SECOND to the CROWN of GREAT BRITAIN.*

Appointed by the stat. 6 Geo. III. cap. 53.

Acknowledgement of the King's right.

I A. B. do truly and sincerely acknowledge, profess, testify, and declare, in my conscience, before God and the world, that our sovereign lord King George is the lawful and rightful King of this realm, and all other his Majesty's dominions and countries thereunto belonging.

Declaration against the title of the descendants of the Pretender.

And I do solemnly and sincerely declare, that I do believe in my conscience, that not any of the descendants of the person who pretended to be prince of Wales during the life of the late King James the Second, and, since his decease, pretended to be, and took upon himself the stile and title of, King of England, by the name of James the Third, or of Scotland, by the name of James the Eighth, or the stile and title of King of Great Britain, hath any right or title whatsoever to the crown of this realm, or any other the dominions thereunto belonging. And I do renounce, refuse, and abjure any allegiance or obedience to any of them.

Promise to defend the King, and disclose all conspiracies.

And I do swear that I will bear faith and true allegiance to his Majesty King George, and him will defend, to the utmost of my power, against all traitorous conspiracies and attempts whatsoever, which shall be made against his person, crown, or dignity. And I will do my utmost endeavour to disclose and make known to his Majesty, and his successors, all treasons and traitorous conspiracies which I shall know to be against him, or any of them.

Promise to maintain the Protestant succession.

And I do faithfully promise, to the utmost of my power, to support, maintain, and defend the succession of the crown against the descendants of the said James, and all other persons whatsoever; which succession, by an act, intituled, "*An act for the further limitation of the crown, and better securing the rights*" and

And we do further give and grant unto you, the said James Murray, full power and authority from time to time and at any time hereafter, by yourself, or by any other to be authorized by you in this behalf, to administer and give the oaths mentioned in the said act “for the further security of his Majesty’s person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors,” to all and every such person or persons as you shall think fit, who shall at any time or times pass into our said province, or shall be resident or abiding there.

Power for the governor to administer or empower others to administer the said oaths.

“and liberties of the subject,” is and stands limited to the princess Sophia, electress and dutchess dowager of Hanover, and the heirs of her body, being protestants.

And all these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain common sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatsoever. And I do make this recognition, according to knowledge, abjuration, renunciation and promise, heartily, willingly, and truly, upon the true faith of a christian.

Sincerity of all these declarations, according to the plain meaning of the words.

V. The DECLARATION against TRANSUBSTANTIATION.

Appointed by stat. 25 Car. II. c. 2. sect. 9.

I A. B. do declare, that I do believe that there is not any transubstantiation in the sacrament of the Lord’s supper, or in the elements of bread and wine, at or after the consecration thereof by any person whatsoever.

Five years after the appointment of this declaration against transubstantiation, to wit, in the 30th year of the reign of King Charles the Second, and A. D. 1679, another declaration against some of the principal errors of popery was appointed to be taken on certain occasions, which is usually called The declaration against popery, and is as follows :

VI. The DECLARATION against POPERY.

Appointed to be taken in certain cases by the stat. 30 Car. II. stat. 2.

I A. B. do solemnly and sincerely, in the presence of God, profess, testify, and declare, that I do believe, that in the sacrament of the Lord’s supper there is not any transubstantiation of the elements of bread and wine into the body and blood of Christ, at or after the consecration thereof by any person whatsoever ; and that the invocation or adoration of the Virgin Mary, or any other saint, and the sacrifice of the mass, as they are now used in the church of Rome, are superstitious and idolatrous.

No transubstantiation of the elements of bread and wine. Saint worship, &c. idolatrous.

And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words read unto me, as they are commonly understood by English protestants, without any evasion, equivocation, or mental reservation whatsoever, and without any dispensation already granted me for this purpose by the Pope, or any other authority or person whatsoever, or without any hope of any such dispensation from any person or authority whatsoever, or without thinking that I am, or can be acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or persons, or power whatsoever, shall dispense with, or annul, the same, or declare that it was null and void from the beginning.

Sincerity of this declaration, according to the true meaning of the words.

Power to use
public seal.

And we do hereby authorize and impower you to keep and use the public seal which will herewith be delivered to you, or shall be hereafter sent to you, for sealing all things whatsoever that shall pass the great seal of our province.

Power to
call an as-
sembly of
the free-
holders.

And we do hereby give and grant unto you, the said James Murray, full power and authority, with the advice and consent of our said council to be appointed as aforesaid, so soon as the situation and circumstances of our said province under your government will admit thereof, and when and as often as need shall require, to summon and call general assemblies of the freeholders and planters within your government, in such manner as you in your discretion shall judge most proper; or according to such further powers, instructions, and authorities, as shall be at any time hereafter granted or appointed you under our signet or sign manual, or by our order in our privy council.

The mem-
bers to take
the oaths
appointed
by stat. 1
Geo. I.

And our will and pleasure is, that the persons thereupon duly elected by the major part of the freeholders of the respective parishes or precincts, and so returned, shall, before their sitting, take the oaths mentioned in the said act, intituled, "*An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors*;" as also make and subscribe the fore-mentioned declaration; which oaths and declaration you shall commissionate fit persons under the public seal of that our province to tender and administer unto them; and, until the same shall be so taken and subscribed, no person shall be capable of sitting, though elected.

and the
declaration
against tran-
substantia-
tion.

Power with
consent of
the council
to make
laws;

And we do hereby declare, that the persons so elected and qualified shall be called The assembly of that our province of Quebeck; and that you, the said James Murray, by and with the advice and consent of our said council and assembly, or the major part of them, shall have full power and authority to make, constitute, and ordain, laws, statutes, and ordinances, for the public peace, welfare, and good government of our said province, and of the people and inhabitants thereof, and such others as shall resort thereunto, and for the benefit of us, our heirs and successors; which said laws, statutes, and ordinances are not to be repugnant, but, as near as may be, agreeable to the laws and statutes of this our kingdom of Great Britain.

not repug-
nant to the
laws of
Great Bri-
tain.

Provided

Provided that all such laws, statutes, and ordinances, of what nature or duration soever they be, shall be, within three months, or sooner, after the making thereof, transmitted to us, under our seal of our said province, for our approbation or disallowance of the same, as also duplicates thereof, by the next conveyance.

And in case any, or all, of the said laws, statutes, and ordinances, not before confirmed by us, shall at any time be disallowed and not approved, and so signified by us, our heirs and successors, under our, or their, signet and sign manual, or by order of our, or their, privy council, unto you, the said James Murray, or to the commander in chief of our said province for the time being, then such and so many of the said laws, statutes, and ordinances as shall be so disallowed and not approved, shall from thenceforth cease, determine, and become utterly void and of no effect; any thing to the contrary thereof notwithstanding.

And to the end that nothing may be passed or done by our said council or assembly to the prejudice of us, our heirs and successors, we will and ordain that you the said James Murray shall have and enjoy a negative voice in the making and passing all laws, statutes, and ordinances as aforesaid; and that you shall and may likewise from time to time, as you shall judge necessary, adjourn, prorogue, or dissolve all general assemblies as aforesaid.

And we do by these presents give and grant unto you, the said James Murray, full power and authority, with the advice and consent of our said council, to erect, constitute, and establish such and so many courts of judicature and public justice within our said province under your government as you and they shall think fit and necessary, for the hearing and determining of all causes, as well criminal as civil, according to law and equity, and for awarding execution thereupon, with all reasonable and necessary powers, authorities, fees, and privileges belonging thereto; as also to appoint and commissionate fit persons in the several parts of your government to administer the oaths mentioned in the aforesaid act, intituled, "*An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors*"; as also to tender and administer the aforesaid declaration to such persons belonging to the said courts as shall be obliged to take the same.

Power to
appoint
judges, com-
missioners
of Oyer and
Terminer,
justices of
the peace,
and other
officers of
justice.

And we do hereby grant unto you full power and authority to constitute and appoint judges, and, in cases requisite, commissioners of Oyer and Terminer, justices of the peace, and other necessary officers and ministers, in our said province, for the better administration of justice and putting the laws in execution ; and to administer, or cause to be administered, unto them, such oath or oaths as are usually given for the due execution and performance of offices and places, and for clearing the truth in judicial causes.

Power to
pardon
crimes.

And we do hereby give and grant unto you full power and authority, when you shall see cause, or shall judge any offender or offenders in criminal matters, or for any fines or forfeitures due unto us, fit objects of our mercy, to pardon all such offenders, and remit all such offences, fines, and forfeitures, treason and wilful murder only excepted ; in which cases you shall likewise have power, upon extraordinary occasions, to grant reprieves to the offender until, and to the intent that, our royal pleasure may be known therein.

Power to
collate to
ecclesiasti-
cal benefi-
ces.

And we do by these presents give and grant unto you full power and authority to collate any person or persons to any churches, chapels, or other ecclesiastical benefices within our said province, as often as any of them shall happen to be void.

Power to le-
vy troops
and employ
them against
enemies, pi-
rates, and
rebels ;

And we do hereby give and grant unto you, the said James Murray, by yourself, or by your captains and commanders by you to be authorized, full power and authority to levy, arm, muster, command, and employ all persons whatsoever residing within our said province ; and, as occasion shall serve, them to march, embark, or transport, from one place to another, for the resisting and withstanding of all enemies, pirates, and rebels, both at land and sea ; and to transport such forces to any of our plantations in America, if necessity shall require, for the defence of the same against the invasion or attempts of any of our enemies ; and such enemies, pirates, and rebels, if there should be occasion, to pursue and prosecute in or out of the limits of our said province : and, if it shall so please God, them to vanquish, apprehend, and take ; and, being taken, according to law to put to death, or keep and preserve alive, at your discretion ; and to execute martial law in time of invasion, war, or other times, when by law it may be executed ; and to do and execute all and every other thing and things which to our captain general and governour in chief doth, or of right ought to belong.

and to exe-
cute martial
law, in time
of war.

And we do hereby give and grant unto you full power and authority, by and with the advice and consent of our said council,

council, to erect raise and build in our said province, such and so many forts, platforms, castles, cities, boroughs, towns, and fortifications, as you, by the advice aforesaid, shall judge necessary, and the same, or any of them, to fortify and furnish with ordinance, ammunition, and all sorts of arms fit and necessary for the security and defence of our said province; and by the advice aforesaid, the same again, or any of them, to demolish or dismantle as may be most convenient.

Power with consent of the council, to build forts and castles; and to fortify and furnish them with arms, &c. and to demolish or dismantle them.

And forasmuch as divers mutinies and disorders may happen by persons shipped and employed at sea during the time of war, and to the end that such as shall be shipped and employed at sea during the time of war may be better governed and ordered, we hereby give and grant unto you, the said James Murray, full power and authority to constitute and appoint captains, lieutenants, masters of ships, and other commanders and officers; and to grant to such captains, lieutenants, masters of ships, and other commanders and officers, commissions to execute the law martial, during the time of war, according to the directions of an act passed in the twenty-second year of the reign of our late royal grandfather, intituled, "*An act for amending, explaining, and reducing into one act of parliament, the laws relating to the government of his Majesty's ships, vessels, and forces by sea;*" and to use such proceedings, authorities, punishments, corrections, and executions upon every offender or offenders, who shall be mutinous, seditious, disorderly, or any way unruly, either at sea, or during the time of their abode or residence in any of the ports, harbours, or bays in our said province, as the case shall be found to require, according to martial law; and the said directions, during the the time of war, as aforesaid.

Power to appoint captains and other officers of ships, and to grant them commissions to execute the law martial.

Provided, that nothing herein contained shall be construed to the enabling you, or any by your authority to hold plea, or have any jurisdiction of any offence, cause, matter, or thing committed or done upon the high sea, or within any of the havens, rivers, or creeks of our said province under your government, by any captain, commander, lieutenant, master, officer, seaman, soldier, or person whatsoever, who shall be in actual service and pay, in or on board any of our ships of war, or other vessels acting by immediate commission or warrant from our commissioners for executing the office of high admiral of Great Britain, or from our high admiral of Great Britain for the time being, under the seal of our admiralty; but that such captain, commander, lieutenant, master, officer, seaman, soldier, or other person,

This shall not affect any officers, &c. on board ships commissioned by the admiralty, when they commit offences either on the high sea, or in any river, creek, or haven.

But these persons shall be tried for such offences either by commission under the great seal of Great Britain or by commission from the admiralty. person so offending, shall be left to be proceeded against, and tried, as their offences shall require, either by commission under our great seal of this kingdom, as the statute of the twenty-eighth of Henry VIII. directs; or by commission from our said commissioners for executing the office of high admiral of Great Britain, or from our high admiral of Great Britain for the time being, according to the aforementioned act, intituled, "*An act for amending, explaining, and reducing into one act of parliament, the laws relating to the government of his Majesty's ships, vessels, and forces by sea;*" and not otherwise.

But for offences committed on shore, those persons shall be tried and punished according to the laws of the place where the offence shall be committed. Provided nevertheless, that all disorders and misdemeanors committed on shore by any captain, commander, lieutenant, master, officer, seaman, soldier, or other person whatsoever belonging to any of our ships of war, or other vessels acting by immediate commission or warrant from our commissioners for executing the office of high admiral of Great Britain, or from our high admiral of Great Britain for the time being, under the seal of our admiralty, may be tried and punished according to the laws of the place, where any such disorders, offences, and misdemeanors shall be committed on shore; notwithstanding such offender be in our actual service, and borne in our pay on board any of our ships of war, or other vessels acting by our immediate commission, or warrant from our commissioners for executing the office of high admiral of Great Britain, or from our high admiral of Great Britain for the time being, as aforesaid, so as he shall not receive any protection for the avoiding of justice for such offences committed on shore from any pretence of his being employed in our service at sea.

Power with consent of the council to dispose of public monies, for support of government. And our further will and pleasure is, that all public monies raised, or which shall be raised, by any act hereafter to be made within our said province, be issued out by warrant from you, by and with the advice and consent of our council, as aforesaid, for the support of the government, and not otherwise.

Power with consent of the council, to grant lands. And we likewise give and grant unto you full power and authority, by and with the advice and consent of our said council, to settle and agree with the inhabitants of our said province for such lands, tenements, and hereditaments, as now are, or hereafter shall be in our power to dispose of, and them to grant to any person or persons upon such terms and under such moderate quit-rents, services, and acknowledgements to be thereupon reserved unto us, as you, with the

the advice aforefaid, fhall think fit; which faid grants are to pafs, and be fealed by our public feal of our faid province, and being entered upon record by fuch officer or officers as fhall be appointed thereunto, fhall be good and effectual in law againft us, our heirs and fucceffors.

Grants to be under the public feal and to be registered.

Provided the fame be conformable to the instructions here- with delivered to you, or to fuch other instructions as may hereafter be fent you under our fignet and fign manual, or by our order in our privy council; which instructions, or any articles contained therein, or any fuch order made in our privy council, fo far as the fame fhall relate to the granting of lands as aforefaid, fhall from time to time be published in the province, and entered on record in like manner as the faid grants are hereby directed to be entered.

These grants must be made conformable to the King's instructions.

And we do hereby give you the faid James Murray, full power and authority to order fairs, marts, and markets; and alfo fuch and fo many ports, harbours, bays, havens, and other places for the conveniency or fecurity of fhipping, and for the better loading and unloading of goods and merchandizes, in fuch and fo many places, as by you, with the advice and confent of our faid council, fhall be thought fit and neceffary.

Power, with confent of the council to appoint fairs, &c.

And we do hereby require and command all officers and minifters, civil and military, and all other inhabitants of our faid province to be obedient, aiding, and affifting unto you, the faid James Murray, in the execution of this our commiffion, and of the powers and authorities therein contained; and in cafe of your death or abfence from our faid province and government, to be obedient, aiding, and affifting, as aforefaid, to the commander in chief for the time being, to whom we do therefore by thefe presents give and grant all and fingular the powers and authorities herein granted to be by him executed and enjoyed, during our pleasure, or until your arrival within our faid province.

All officers, &c. to aid and affist the governor or lieut. gov. in the execution of his commiffion.

And in cafe of your death or abfence from our faid province, our will and pleasure is, that our lieutenant governor of Montreal or Trois Rivières, according to the priority of their commiffions of lieutenant governour, do execute our faid commiffion with all the powers and authorities therein mentioned, as aforefaid. And in cafe of the death or abfence of our lieutenant governours of Montreal and Trois Rivières from our faid province, and that there fhall be no perfon within our faid province appointed by us to be lieutenant governour or commander in chief of our faid province,

Who to be commander in chief of the province, in cafe of the death or abfence of the governor.

vince, our will and pleasure is, that the eldest councillor, who shall be, at the time of your death or absence, residing within our said province, shall take upon him the administration of the government, and execute our said commission and instructions, and the several powers and authorities therein contained, in the same manner and to all intents and purposes, as other our governour or commander in chief should or ought to do, in case of your absence, or until your return, or in all cases until our further pleasure be known

This office
to be held
during the
King's pleasure.

And we do hereby declare, ordain, and appoint, that you, the said James Murray, shall and may hold, execute, and enjoy the office and place of our captain general and governor in chief, in and over our said province of Quebeck, and all the territories dependent thereon, with all and singular the powers and authorities hereby granted unto you, for and during our will and pleasure. In witness whereof we have caused these our letters to be made patent; witness ourself at Westminster, the twenty-first day of November, in the fourth year of our reign.

By writ of privy seal. (Signed) YORKE & YORKE.

Recorded at the Treasury chambers, Whitehall, the 28th day of November, 1763.

(Signed) T. TOMKYN S.

Recorded in the Register's office in Quebeck, the 7th day of June, 1766.

(Signed) J. GOLDFRAP, D. Regr.

COMMIS-

COMMISSION of VICE-ADMIRAL.

GEORGE the THIRD, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, to our beloved JAMES MURRAY, Esquire, our Captain General and Governour in Chief in and over our Province of Quebec, in America, Greeting :

WE, confiding very much in your fidelity, care, and circumspection in this behalf, do, by these presents, which are to continue during our pleasure only, constitute and depute you, the said James Murray, Esquire, our captain general and governour in chief aforesaid, our vice-admiral, commissary, and deputy in the office of vice-admiralty in our province of Quebec aforesaid, and territories thereon depending, and in the maritime parts of the same and thereto adjoining whatsoever; with power of taking and receiving all and every the fees, profits, advantages, emoluments, commodities, and appurtenances whatsoever due and belonging to the said office of Vice-Admiral, Commissary, and Deputy in our province of Quebec, and territories depending thereon, and maritime parts of the same and adjoining to them whatsoever, according to the ordinances and statutes of our high court of admiralty in England.

Commission to be vice-admiral, commissary, & deputy in the office of vice-admiralty in the province of Quebec.

And we do hereby remit and grant unto you, the aforesaid James Murray, Esquire, our power and authority in and throughout our province of Quebec aforesaid, and territories thereof, and maritime parts whatsoever of the same and thereto adjacent, and also throughout all and every the seas, shores, public streams, ports, fresh-water rivers, creeks, and arms as well of the sea as of the rivers and coasts whatsoever of our said province of Quebec, and territories dependent thereon, and maritime parts whatsoever of the same and thereto adjacent, as well within liberties and franchises as without; to take cognizance of, and proceed in, all civil and maritime causes, and in complaints, contracts, offences, or suspected offences, crimes, pleas, debts, exchanges, accounts, charter-partys, agreements, suits, trespasses, injuries, extortions, and demands, and business civil and maritime whatsoever, commenced or to be commenced between merchants, or between owners and proprietors of ships and other vessels, and merchants or others whomsoever with such owners and proprietors of ships and all other vessels

To what places the vice-admiral's jurisdiction shall extend.

In what causes.

Between what persons.

whatsoever, employed or used within the maritime jurisdiction of our vice-admiralty of our said province of Quebeck, and territories depending on the same, or between any other persons whomsoever, had, made, begun, or contracted for any matter, thing, cause, or business whatsoever, done or to be done within our maritime jurisdiction aforesaid, together with all and singular their incidents, emergencies, dependencies, annexed or connexed causes whatsoever or howsoever, and such causes, complaints, contracts, and other the premises above said, or any of them, which may happen to arise, be contracted, had, or done, to hear and determine according to the rights, statutes, laws, ordinances, and customs anciently observed.

And moreover, in all and singular complaints, contracts, agreements, causes, and businesses, civil and maritime, to be performed beyond the sea, or contracted there, howsoever arising or happening; and also in all and singular other causes and matters, which in any manner whatsoever touch or any way concern, or anciently have and do, or ought to, belong unto the maritime jurisdiction of our aforesaid vice-admiralty in our said province of Quebeck, and territories thereon depending, and maritime parts thereof and to the same adjoining whatsoever; and generally in all and singular all other causes, suits, crimes, offences, excesses, injuries, complaints, misdemeanours, or suspected misdemeanours, trespasses, regrating, forestalling and maritime businesses whatsoever, throughout the places aforesaid, within the maritime jurisdiction of our vice-admiralty of our province of Quebeck aforesaid, and territories thereon depending by sea or water, or the banks or shores of the same, howsoever done, committed, perpetrated, or happening.

To enquire
by a jury of
such matters
as of right,
and by an-
cient laws
and usages,
ought to be
enquired of;
and of wreck
of the sea,
and the
goods of
traitors and
felons;

And also to enquire by the oaths of honest and lawful men of our said province of Quebeck, and territories dependent thereon, and maritime parts of the same and adjoining to them whatsoever, dwelling both within liberties and franchises and without, as well of all and singular such matters and things which of right, and by the statutes, laws, ordinances, and the customs anciently observed were wont and ought to be enquired after, as of wreck of the sea, and of all and singular the goods and chattels of whatsoever traitors, pirates, manslayers, and felons howsoever offending within the maritime jurisdiction of our vice-admiralty of our province of Quebeck afore-mentioned, and territories thereunto belonging, and of the goods, chattels, and debts of all and singu-

singular their maintainors, accessaries, counsellors, abettors, or assistants whomsoever.

And also of the goods, debts, and chattels of whatsoever person or persons felons of themselves, by what means or howsoever coming to their death within our aforesaid maritime jurisdiction, wheresoever any such goods, debts, and chattels, or any part thereof, by sea, water, or land in our said province of Quebeck, and territories thereon dependent, and maritime parts of the same and thereto adjacent whatsoever, as well within liberties and franchises as without, have been or shall be found forfeited, or to be forfeited, or in being.

And moreover, as well of the goods, debts, and chattels of whatsoever other traitors, felons, and manslaughterers wheresoever offending, and of the goods, debts, and chattels of their maintainors, accessaries, counsellors, abettors, or assistants, as of the goods, debts, or chattels of all fugitives, persons convicted, attainted, condemned, outlawed, or howsoever put, or to be put, in exigent for treason, felony, manslaughter, or murder, or any other offence or crime whatsoever; and also concerning goods waived, flotsen, jetson, lagon, shares and treasure found or to be found; deodands, and of the goods of all others whatsoever taken or to be taken as derelict, or by chance found, or howsoever due or to be due; and of all other casualties, as well in, upon, or by the sea and shores, creeks or coasts of the sea, or maritime parts, as in, upon, or by all fresh waters, ports, public streams, rivers, or creeks, or places overflown whatsoever within the ebbing and flowing of the sea or high water, or upon the shores and banks of any of the same within our maritime jurisdiction aforesaid, howsoever, whensoever, or by what means soever arising, happening, or proceeding, or wheresoever such goods, debts, and chattels, or other the premises, or any parcel thereof, may or shall happen to be met with or found within our maritime jurisdiction aforesaid.

And also concerning anchorage, lastage, and ballast of ships, and of fishes royal, namely sturgeons, whales, porpoises, dolphins, kiggs, and grampusses, and generally of all other fishes whatsoever which are of a great or very large bulk or fatness, anciently by right, or custom, or any way appertaining or belonging to us.

And to ask, require, levy, take, collect, receive, and obtain for the use of us, and to the office of our high admiral of Great Britain aforesaid for the time being, to keep and preserve the said wreck of the sea, and the goods, debts, and chattels of all and singular other the premises, together with all and all manner of fines, mulcts, issues, forfeitures, amerciaments,

and of the goods of felons of themselves.

Also of goods waived, flotsen, jetson, lagon, deodands, derelicts, and other casualties, upon the sea, or sea-coasts, or fresh-water rivers, as far as the tide flows.

Also of anchorage, lastage, ballast, and fishes royal.

Power to receive and preserve to the King's use all the profits above-mentioned; and all fines

imposed by any court of admiralty held in this province, and recognizances forfeited therein : ransoms, and recognizances whatsoever, forfeited, or to be forfeited, and pecuniary punishments for trespasses, crimes, injuries, extortions, contempts, and other misdemeanors whatsoever, howsoever imposed or inflicted, or to be imposed or inflicted, for any matter, cause, or thing whatsoever in our said province of Quebeck, and territories thereunto belonging, and maritime parts of the same and thereto adjoining, in any court *of our admiralty there held, or to be held*, presented, or to be presented, assessed, brought, forfeited, or adjudged ; and also all amerciaments, issues, fines, perquisites, mulcts, and pecuniary punishments whatsoever, and forfeitures of all manner of recognizances, before you *or your lieutenant, deputy or deputies*, in our said province of Quebeck, and territories thereunto belonging, and maritime parts of the same and thereto adjacent whatsoever, happening, or imposed, or to be imposed or inflicted, or by any means assessed, presented, forfeited, or adjudged, or howsoever, by reason of the premises, due or to be due in that behalf to us, or to our heirs and successors.

and to take recognizances and bonds, for the King's use, or that of private subjects : and to award execution upon them ; and to arrest ships, goods, and persons for causes arising within the maritime jurisdiction : And further, to take all manner of recognizances, cautions, obligations and stipulations, as well to our use as at the instance of any party's, for agreements, or debts, or other causes whatsoever, and to put the same into execution, and to cause and command them to be executed ; *and also to arrest, and cause and command to be arrested*, according to the civil and maritime laws and ancient customs of our said court, all ships, persons, things, goods, wares, and merchandizes, for the premises, and every of them, and for other causes whatsoever concerning the same, wheresoever they shall be met with or found throughout our said province of Quebeck, and territories thereunto belonging, and maritime parts thereof and thereto adjoining, as well within liberties and franchises as without ; and likewise for all other agreements, causes, or debts, howsoever contracted or arising, so that the goods or persons may be found within our jurisdiction aforesaid.

and to hear and determine the said causes, with all the matters incident thereto : And to hear, examine, discuss, and finally determine the same, with their emergencies, dependencies, incidents, annexed and connexed causes and businesses whatsoever ; together with all other causes civil and maritime, and complaints, contracts, and all and every the respective premises whatsoever above expressed, according to the laws and customs aforesaid, and by all other lawful ways, means, and methods, according to the best of your skill and knowledge.

and to compel persons to appear and answer ; And to compel all manner of persons in that behalf, as the case shall require, to appear and to answer, with power of

of using any temporal correction, and of inflicting any other penalty or mulct, according to the laws and customs aforesaid.

And to do and administer justice according to the right order and course of law, summarily and plainly, looking only into the truth of the facts.

And to fine, correct, punish, chastise, reform, and to imprison, and cause and command to be imprisoned, in any gaols, being within our province of Quebeck aforesaid, and territories thereunto belonging, the parties guilty, and the contemnors of the law and jurisdiction of our admiralty aforesaid, and violaters, usurpers, delinquents, and contumacious absenters, masters of ships, mariners, rowers, fishermen, shipwrights, and other workmen and artificers whatsoever, exercising any kind of maritime affairs, according to the rights, statutes, laws, and ordinances, and customs anciently observed; and to deliver and absolutely discharge, and cause and command to be discharged, whatsoever persons imprisoned in such cases, who are to be delivered.

and to fine and imprison the parties that shall be found guilty and to deliver and discharge from prison persons imprisoned for the same, when they ought to be so discharged:

And to preserve, or cause to be preserved, the public streams, ports, rivers, fresh waters, and creeks whatsoever, within our maritime jurisdiction aforesaid, in what place soever they be in our province of Quebeck aforesaid, and territories thereunto belonging, and maritime parts of the same and thereto adjacent whatsoever, as well for the preservation of our navy royal, and of the fleets and vessels of our kingdom and dominions aforesaid, as of whatsoever fishes increasing in the rivers and places aforesaid.

and to preserve public streams, ports, and rivers:

And also to keep, and cause to be executed and kept, in our said province of Quebeck, and territories thereunto belonging, and maritime parts thereof and thereto adjacent whatsoever, the rights, statutes, laws, ordinances, and customs anciently observed.

And to do, exercise, expedite, and execute all and singular other things in the premises, and every of them, as they by right, and according to the laws and statutes, ordinances and customs aforesaid, should be done.

And moreover, to reform nets too close, and other unlawful engines or instruments whatsoever for the catching of fishes wheresoever, by sea, or public streams, ports, rivers, fresh waters, or creeks whatsoever, throughout our province of Quebeck aforesaid, and territories depending thereon, and maritime parts of the same and thereto adjacent, used or exercised within our maritime jurisdiction aforesaid wheresoever.

and to reform nets that are too close, and other unlawful engines for catching fish;

And

and to punish those who make use of them:

And to punish and correct the exercisers and occupiers thereof, according to the statutes, laws, ordinances, and customs aforefaid.

and to pronounce sentences in all causes relating to the sea, and put the same in execution:

And to pronounce, promulge, and interpose all manner of sentences and decrees, and to put the same in execution; with cognizance and jurisdiction of whatsoever other causes, civil and maritime, which relate to the sea, or which any manner of ways respect or concern the sea, or passage over the same, or naval or maritime voyages, or our said maritime jurisdiction, or the places or limits of our said admiralty, and cognizance afore-mentioned, and all other things done or to be done.

and to proceed in the said causes:

With power also to proceed in the same, according to the statutes, laws, ordinances, and customs aforefaid anciently used, as well of mere office mixt or promoted, as at the instance of any party, as the case shall require and seem convenient:

and to have cognizance of wreck of the sea, and view of dead bodies of persons coming to their deaths upon the sea or within the maritime jurisdiction:

and likewise with cognizance and decision of wreck of the sea, and of the death, drowning, and view of dead bodies of all persons howsoever killed, or drowned, or murdered, or which shall happen to be killed, drowned, or murdered, or by any other means come to their death in the sea or public streams, ports, fresh waters, or creeks whatsoever, within the flowing of the sea and high-water mark throughout our aforefaid province of Quebeck, and territories thereunto belonging, and maritime parts of the same and thereto adjacent, or elsewhere within our maritime jurisdiction aforefaid.

and to have cognizance of mayhem within the maritime jurisdiction.

Together with the cognizance of mayhem in the aforefaid places, within our maritime jurisdiction aforefaid, and flowing of the sea and water there happening; with power also of punishing all delinquents in that kind, according to the exigences of the law and customs aforefaid.

And to do, exercise, expedite, and execute all and singular other things which in and about the premises only shall be necessary or thought meet, according to the rights, statutes, laws, ordinances, and customs aforefaid.

Power to make one or more deputies, and to appoint inferior officers,

With power of deputing and surrogating in your place for the premises one or more deputy or deputies, as often as you shall think fit; and also with power from time to time of naming, appointing, ordaining, assigning, making, and constituting whatsoever other necessary, fit, and convenient officers and ministers under you for the said office and execution thereof in our said province of Quebec, and territories thereunto belonging, and maritime parts of the same and thereto adjacent whatsoever.

Saving always the right of our high court of admiralty of England, and also of the judge and registrar of the said court, from whom,

whom, or either of them, it is not our intention in any thing to derogate by these presents; and saving to every one who shall be wronged or grieved by any definitive sentence or interlocutory decree which shall be given *in the vice-admiralty court of our province of Quebeck* afore said, and territories thereunto belonging, the right of appealing to our afore said high court of admiralty of England.

Saving the right of the high court of admiralty, &c. and saving the right of appealing thereto.

Provided nevertheless, and under this expresse condition, that if you, the afore said James Murray, esquire, our captain general and governour in chief, shall not yearly (to wit) at the end of every year, between the feast of St. Michael the archangel and All Saints, duly certify, and cause to be effectually certified (if you shall be thereunto required) to us, and our lieutenant official, principals and commissary general and special, and judge and president of the high court of our admiralty of England afore said, all that which from time to time by virtue of these presents you shall do and execute, collect, or receive in the premises, or any of them, together with your full and faithful account thereupon, to be made in an authentic form, and sealed with the seal of our office remaining in your custody, that from thence and after default therein these our letters patent of the office of vice-admiralty afore said, as above granted, shall be null and void, and of no force or effect.

Provido that the vice-admiral shall yearly certify under the seal of his office the proceedings had in his court to the judge of admiralty: and upon default made herein these letters patent shall be void.

Further we do, in our name, command all and singular our governours, justices, mayors, sheriffs, captains, marshals, bailiffs, keepers of all our gaols and prisons, constables, and all other our officers and faithful liege subjects whatsoever, and every of them, as well within liberties and franchises as without, that in and about the execution of the premises, and every of them, they be aiding, favouring, assisting, submissive, and yield obedience in all things as is fitting to you, the afore said James Murray, esquire, our captain general and governour in chief of our province of Quebeck afore said, and to your deputy whomsoever, and to all other officers by you appointed, and to be appointed, of our said vice-admiralty in our province of Quebeck afore said, and territories thereunto belonging, and maritime parts of the same and thereto adjoining, under pain of the law, and the peril which will fall thereon.

All officers, civil and military, and all other subjects whatsoever, are enjoined to be assisting to the vice-admiral and his deputies in the execution of this office.

Given at London in the high court of our admiralty of England afore said, under the great seal thereof, the nineteenth day of March, in the year of our Lord one thousand seven hundred and sixty-four, and of our reign the fourth.

(Signed.) GODF. LEE TARRANT, Registrar.

An Abstract of the Contents of the Act of Parliament, intituled,
*“ An Act for making more effectual provision for the govern-
 ment of the province of Quebec in North America.”* Passed in
 June, 1774.

Art. I. **T**HE preamble states, in the first place, that his Majesty had, by his royal proclamation of October 7, 1763, declared the provisions which he had made in respect to the several countries, territories, and islands in America, that had been ceded to him by the definitive treaty of peace, concluded at Paris on the 10th day of February, 1763.

Art. II. Then it states, in the second place, that by the arrangements made by the said proclamation, a very great part of the country so ceded was left without any provision for the administration of civil government therein, notwithstanding there were several colonies and settlements of the subjects of France in the said part, who claimed to remain therein under the faith of the aforesaid treaty.

Art. III. Then it states, in the third place, that there were other parts of the countries so ceded to his Majesty, in which sedentary fisheries had been established and carried on by the subjects of France, inhabitants of the country called Canada, under grants made by the French government; and that these parts of the ceded countries had, by the said proclamation of October 7, 1763, been annexed to the government of Newfoundland, and thereby made subject to regulations inconsistent with the nature of such fisheries.

Art. IV. Then comes the first enacting clause of the act, which directs that all the interior parts of North America contained between the western boundaries of the old English colonies there, the rivers Ohio and Mississippi, and the territories of the Hudson's Bay company; and likewise all the coast of Labrador, on the north side of the gulph of St. Lawrence, which had lately made part of the government of Newfoundland; shall be annexed to, and make part of, the province of Quebec, during the King's pleasure.

Art. 5. To the next enacting clause there is a preamble, in which it is declared, that the provisions made by the proclamation above-mentioned in respect to the civil government of the said province of Quebec, and the powers and author-
 ities

ties given to the governor and other civil officers of the province, by the grants and commissions issued in consequence thereof, *had been found upon experience, to be inapplicable to the state and circumstances of the said province*, the inhabitants whereof had amounted at the conquest to above sixty-five thousand persons professing the religion of the church of Rome, and enjoying an established form of constitution and system of laws, by which their persons and property had been protected, governed, and ordered, for a long series of years, from the first establishment of the said province of Canada.

Art. VI. Then comes the enacting clause itself, and enacts that the said proclamation of October, 1763, and the commission under the authority of which the government of the said province was at that time administered, and all the ordinances that had been made by the governor and council of Quebec, concerning the civil government and administration of justice in the said province, and all commissions to judges and other officers thereof, should become null and void on the 1st day of May, 1775.

Art. VII. The next clause relates to religion. It enacts in the first place, that his Majesty's Roman-catholick subjects in the said province of Quebec, may enjoy the free exercise of their religion, subject to the King's supremacy, as declared and established by an act made in the first year of the reign of queen Elizabeth.

Art. VIII. This clause concerning religion enacts, in the second place, that the clergy of the said church of Rome, may hold, receive, and enjoy their accustomed dues and rights, with respect to such persons only as shall profess the Roman-catholick religion.

Art. IX. Then follows a proviso that it shall be lawful for the King, his heirs and successors, out of the rest of the said accustomed dues and rights, to make such provision for the encouragement of the protestant religion, and for the maintainance and support of a protestant clergy in the said province, as he or they shall think expedient.

Art. X. After this follows a second proviso, by which all Roman-catholicks in the province, whether priests or laymen are exempted from the obligation of taking the oath of supremacy required by the aforesaid statute of the first of Elizabeth, or the oath of abjuration of the Pope's ecclesiastical authority, which has been substituted instead of the former by a statute of king William. And in lieu of the said oath against the Pope's authority, those persons who would by the

said statutes of queen Elizabeth and king William have been obliged to take the same, (as all persons holding ecclesiastical benefices, or temporal employments, would have been) shall, if they are Roman-catholicks, take the following oath of allegiance to the King's Majesty, to wit,

“ I *A. B.* do sincerely promise and swear that I will be
 “ faithful and bear true allegiance to his Majesty king George,
 “ and him will defend to the utmost of my power against
 “ all traiterous conspiracies and attempts whatsoever, which
 “ shall be made against his person, crown, and dignity. And
 “ I will do my utmost endeavour to disclose and make known
 “ to his Majesty, his heirs and successors, all treasons and
 “ traiterous conspiracies, and attempts, which I shall know
 “ to be against him or any of them. And all this I do swear
 “ without any equivocation, mental evasion, or secret reser-
 “ vation, and renouncing all pardons and dispensations from
 “ any power or person whomsoever to the contrary.

“ So help me God.”

And if they shall neglect or refuse to take the said oath of allegiance, they shall incur the same penalties and forfeitures, and be liable to the same disabilities as are appointed by the said act of the first of queen Elizabeth, for neglecting or refusing to take the oath of supremacy required by that statute.

Art. XI. The next clause of this act consists of two parts ; in the first place, it confirms to all his Majesty's Canadian subjects in the province of Quebec, except the religious orders and communities, the enjoyment of their property and possessions, together with all customs and usages relative thereto, and all other their civil rights, in as large, ample, and beneficial a manner as if the aforesaid proclamation, commissions, ordinances, and other acts and instruments, had not been made, and as may consist with their allegiance to his Majesty, and subjection to the Crown and Parliament of Great-Britain.

Art. XII. And in the second place, it directs that in all matters of controversy relative to property and civil rights, resort shall be had to the laws of Canada, as the rule for the decision of the same ; and that all causes that shall hereafter be instituted in any of the courts of justice that shall be established in the said province, shall with respect to such property and rights, be determined agreeably to the said laws and customs of Canada, until they shall be varied or altered by any ordinances that shall hereafter be passed in the said province by the governour and legislative council of the same,

to be appointed in the manner herein after mentioned. This clause is followed by two provisos.

Art. XIII. By the first proviso it is provided, that nothing in this act shall extend to any lands that have been granted by his Majesty, or that shall be granted hereafter by his Majesty, or his heirs and successors, to be holden in common soccage.

Art. XIV. The second proviso, impowers all his Majesty's subjects in the said province to devise both their goods and their lands by their last will and testament in the manner they shall think proper, such will being executed either according to the laws of Canada, or according to the forms prescribed by the laws of England.

Art. XV. The next clause directs that the criminal law of England, (which it states to have been uniformly administered in the province for the last nine years, with the general approbation of the inhabitants thereof) shall continue to be observed in the said province; subject to such alterations and amendments as shall be made therein from time to time, by the governour and legislative council of the said province.

Art. XVI. Then comes the important clause for establishing a legislative council in the province. To this clause there is a preamble, which states two things; first, that it may be necessary to make regulations for the good government of the province of Quebec, the occasion, of which cannot now be foreseen, nor without much delay and inconvenience be provided for, without entrusting the authority to make them, for a certain time, and under proper restrictions, to persons resident in the said province. And secondly that it is at present inexpedient to call an assembly.

Art. XVII. After this preamble, this clause enacts, that it shall be lawful for the King's Majesty, his heirs and successors, by warrant under his or their signet or sign manual, and with, the advice of the privy council, to constitute and appoint a council for the affairs of the said province of Quebec, to consist of such persons resident in the same as his Majesty shall be pleased to appoint, being not fewer than seventeen, nor more than twenty-three; and upon the death, removal, or absence of any of the members of the said council, in like manner to constitute and appoint so many other persons as shall be necessary to supply the vacancies: and that this council, so appointed and nominated, or the major part thereof, shall have power and authority, with the consent of the governour for the time being, to make ordinances for the peace, welfare, and good government of the said province,

Art. XVIII. Then follows a provisoe that this legislative council shall not be impowered to lay any taxes or duties within the said province, except only such rates and taxes as the inhabitants of any town or district within the said province may be authorized by the said council to assess, levy, and apply within the said town or district, for the purpose of making roads, erecting and repairing publick buildings, or for any other purpose respecting the local convenience and œconomy of such town or district.

Art. XIX. Then follows a second provisoe, that the ordinances made by this legislative council shall, within six months after the passing of them, be transmitted to his Majesty for his royal approbation : and, if his Majesty shall think fit to disallow them, and make an order in his privy council for that purpose, they shall cease and become void in the said province from the time that his Majesty's order in council thereupon shall be promulgated. And no time is fixed for such disallowance : so that it seems to follow that his Majesty may disallow the said ordinances at the distance of forty or fifty years after they shall have been passed, or at any other distance of time whatsoever.

Art. XX. Then follows a third provisoe, that no ordinance touching religion, or by which any punishment may be inflicted greater than fine or imprisonment for three months, shall be of any force or effect, until the same shall have received his Majesty's approbation.

Art. XXI. Then comes the fourth and last provisoe to this clause concerning the legislative council, to wit, that no ordinance shall be passed at any meeting of this council where less than a majority of the whole council shall be present, or at any time, except between the first day of January, and the first day of May, unless upon some urgent occasion ; in which case every member of the said council resident at Quebec, or within fifty miles thereof, shall be personally summoned by the governour to attend the same.

Then comes a clause which enacts, that nothing in the said act contained shall extend to prevent his Majesty from erecting, by his letters patent under the great seal of Great-Britain, such courts of criminal, civil, and ecclesiastical jurisdiction in the said province of Quebec, and appointing the judges and officers thereof, as his Majesty shall think necessary and proper for the circumstances of the said province.

Lastly, there is a general provisoe to the whole act, which declares that it is not intended to repeal the acts of Parliament relating

relating to the trade of the American colonies; but that all those acts, and likewise all other acts of Parliament heretofore made concerning those colonies, shall be of force in the said province of Quebeck.

This is a pretty full and faithful abstract of the famous Quebeck act.

A Commission of his late Majesty King GEORGE the Second to Sir DANVERS OSBORN, Baronet, to be Captain-General and Governour in Chief in and over the Province of NEW YORK in AMERICA, in the Year 1754.

GEORGE the SECOND, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth; To our trusty and well-beloved Sir Danvers Osborn, Baronet, greeting.

WHEREAS we did by our letters patent under our great seal of Great-Britain, bearing date at Westminster the third day of July in the fifteenth year of our reign, constitute and appoint the honourable George Clinton, esq. captain-general and governour in chief in and over our province of New York and the territories depending thereon in America for and during our will and pleasure, as by the said recited letters patent (relation being thereunto had) may more fully and at large appear: Now know you that we have revoked and determined, and by these presents do revoke and determine, the said recited letters patent and every clause, article, and thing therein contained.

Revocation
of the pa-
tent of the
last gover-
nour.

And further know you that we, reposing especial trust and confidence in the prudence, courage, and loyalty of you, the said Sir Danvers Osborn, of our especial grace, certain knowledge, and meer motion, have thought fit to constitute and appoint you, the said Sir Danvers Osborn, to be our captain-general and governour in chief in and over our province of New York and the territories depending thereon in America: and we do hereby require and command you to do and execute all things in due manner that shall belong unto your said command and the trust we have reposed in you, according to the several powers and directions granted or appointed you by this present commission and instructions herewith

Appoint-
ment of the
new gover-
nour.

herewith given you, or by *such further powers**, instructions and authorities, *as shall at any time hereafter be granted or appointed you under our signet and sign manual*, or by our order in our privy council, and according to such reasonable laws and statutes as now are in force or hereafter shall be made and agreed upon by you, with the advice and consent of our council and the assembly of our said province under your government, in such manner and form as is herein after expressed.

Oaths to be taken by the governour.

Those appointed by stat. 1. Geo. I.

The declaration against transubstantiation, mentioned in stat. 25 Car. II. Oath of office.

Oath concerning the law of trade.

Oaths to be taken by members of the council.

Those appointed by stat. 1. Geo. I.

And our will and pleasure is, that you the said Sir Danvers Osborn, after the publication of these our letters patent, do in the first place take the oaths appointed to be taken by an act passed in the first year of our late royal father's reign, intituled, "*An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended prince of Wales and his open and secret abettors,*" as also that you make and subscribe the declaration mentioned in an act of Parliament made in the twenty-fifth year of the reign of king Charles the Second, intituled, "*An act for preventing dangers which may happen from popish recusants :*" and likewise that you take the usual oath for the due execution of the office and trust of our captain-general and governour in chief in and over our said province of New York and the territories depending thereon, for the due and impartial administration of justice; and further that you take the oath required to be taken by governours of plantations to do their utmost that the several laws relating to trade and the plantations be observed: which said oaths and declaration our council in our said province, or any three of the members thereof, have hereby full power and authority, and are required, to tender and administer unto you, and in your absence to our lieutenant-governour, if there be any upon the place; all which being duly performed you shall administer unto each of the members of our said council, as also to our lieutenant-governour, if there be any upon the place, the oaths mentioned in the said act, intituled, "*An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended*"

* *Quere*, Whether such powers would be legally delegated by an instrument under the King's signet and sign manual?

pretended prince of Wales and his open and secret abettors ;" as also to cause them to make and subscribe the afore-mentioned declaration, and to administer to them the oath for the due execution of their places and trusts.

Declaration
above-men-
tioned.
Oath of of-
fice.

And we do hereby give and grant unto you full power and authority to suspend any of the members of our said council from sitting, voting, or assisting therein, if you shall find just cause for so doing ; and, if there shall be any lieutenant-governour, him likewise to suspend from the execution of his command, and to appoint another in his stead until our pleasure be known. And if it shall at any time happen that by the death, departure out of our said province, or suspension of any of our said councillors, or otherwise, there shall be a vacancy in our said council (any three whereof we do hereby appoint to be a quorum) our will and pleasure is, that you signify the same unto us by the first opportunity, that we may under our signet and sign manual constitute and appoint others in their stead. But, that our affairs may not suffer at that distance for want of a due number of councillors, if ever it should happen that there be less than seven of them residing in our said province, we do hereby give and grant unto you, the said Sir Danvers Osborn, full power and authority to chuse as many persons out of the principal freeholders, inhabitants thereof, as will make up the full number of our said council to be seven and no more ; which persons so chosen and appointed by you shall be to all intents and purposes councillors in our said province, until either they shall be confirmed by us, or that, by the nomination of others by us under our sign manual and signet, our said council shall have seven or more persons in it.

Power of
suspending
the mem-
bers of the
council.

Power to
appoint new
councillors
till the num-
ber of the
members is
seven.

And we do hereby give and grant unto you full power and authority, with the advice and consent of our said council, from time to time as need shall require, to summon and call general assemblies of the said freeholders and planters within your government according to the usage of our province of New York. And our will and pleasure is, that the persons thereupon duly elected by the major part of the freeholders of the respective counties and places and so returned, shall, before their sitting, take the oaths mentioned in the said act intituled, "*An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing*"

Power with
the consent
of the coun-
cil, to call
an assembly.

Oaths to be
taken by the
members
thereof.
the

The declaration
afore-mentioned
is to be sub-
scribed by
them.

the hopes of the pretended prince of Wales and his open and secret abettors ;" as also make and subscribe the afore-mentioned declaration (which oaths and declaration you shall commissionate fit persons under our seal of New York to tender and administer unto them) : and until the same shall be so taken and subscribed, no person shall be capable of sitting, though elected.

Name of
members so
elected and
qualified.

And we do hereby declare that the persons so elected and qualified shall be called and deemed *The general assembly* of that our province and the territories depending thereon.

Power to
make laws,

And you, the said Sir Danvers Osborn, by and with the consent of our said council and assembly, or the major part of them respectively, shall have full power and authority to make, constitute, and ordain, laws, statutes. and ordinances for the public peace, welfare, and good government of our said province, and of the people and inhabitants thereof, and such others as shall resort thereto, and for the benefit of us, our heirs, and successors : which said laws, statutes, and ordinances are not to be repugnant, but, as near as may be, agreeable to the laws and statutes of this our kingdom of Great Britain.

which shall
not be re-
pugnant to
the laws of
Great-Bri-
tain.

The laws so
made shall
be transmit-
ted to Eng-
land within
3 months.

Provided that all such laws, statutes, and ordinances, of what nature or duration soever, be, within three months or sooner after the making thereof, transmitted unto us under our seal of New York for our approbation or disallowance of the same ; as also duplicates thereof by the next conveyance.

If they are
at any time
after disal-
lowed by
the king,
they shall
thenceforth
become
void.

And in case any or all of the said laws, statutes, and ordinances, being not before confirmed by us, shall at any time be disallowed and not approved, and so signified by us, our heirs, or successors, under our, or their, sign manual and signet, or by order of our, or their, privy council unto you, the said Sir Danvers Osborn, or to the commander in chief of our said province for the time being ; then such and so many of the said laws, statutes, and ordinances as shall be so disallowed and not approved, shall from thenceforth cease, determine, and become utterly void and of none effect ; any thing to the contrary thereof notwithstanding.

The gover-
nour shall
have a nega-
tive voice a-
gainst both
council and
assembly.

And to the end that nothing may be passed or done by our said council or assembly to the prejudice of us, our heirs, or successors, we will and ordain that you, the said Sir Danvers Osborn, shall have and enjoy a negative voice in the making and passing of all laws, statutes, and ordinances as aforesaid : and you shall and may likewise from time to time,

as you shall judge it necessary, adjourn, prorogue, and dissolve all general assemblies as aforesaid.

And our further will and pleasure is, that you shall and may use and keep the public seal of our said province of New York for sealing all things whatsoever that pass the great seal of our said province under your government.

And we do further give and grant unto you, the said Sir Danvers Osborn, full power and authority from time to time and at any time hereafter, by yourself, or by any other to be authorized by you in that behalf, to administer and give the afore-mentioned oaths to all and every such person and persons as you shall think fit, who shall at any time or times pass into our said province or shall be resident or abiding there.

And we do further by these presents give and grant unto you, the said Sir Danvers Osborn, full power and authority, with the advice and consent of our said council, to erect, constitute, and establish such and so many courts of judicature and public justice within our said province under your government, as you and they shall think fit and necessary for the hearing and determining of all causes, as well criminal as civil, according to law and equity, and for awarding execution thereupon, with all reasonable and necessary powers, authorities, fees, and privileges belonging thereunto: as also to appoint and commissionate fit persons in the several parts of your government to administer the oaths mentioned in the aforesaid act, intituled, "*An act for the further security of his Majesty's person and government; and the succession of the crown in the heirs of the late princess Sophia, being protestants, and for extinguishing the hopes of the pretended prince of Wales and his open and secret abettors*;" as also to tender and administer the aforesaid declaration, unto such persons belonging to the said courts as shall be obliged to take the same.

And we do hereby authorize and empower you to constitute and appoint judges, and in cases requisite commissioners of Oyer and Terminer, justices of the peace, and other necessary officers and ministers in our said province for the better administration of justice and putting the laws in execution, and to administer, or cause to be administered, unto them such oath or oaths as are usually given for the due execution and performance of offices and places, and for the clearing of truth in judicial causes.

And we do hereby give and grant unto you full power and authority, where you shall see cause or shall judge any offender

Power of adjourning, proroguing, and dissolving the assembly; and to keep and use the public seal. Power to administer, or to authorize others to administer, the oaths appointed by stat. 1 Geo. I.

Power with the consent of the council, to erect courts of judicature,

and to commissionate fit persons to administer the oaths appointed by stat. 1 Geo. I. and the declaration, against transubstantiation, to persons belonging to such courts.

Power to appoint judges, commissioners of Oyer and Terminer, justices of the peace, and other officers of justice.

Power to pardon crimes.

offender or offenders in criminal matters, or for any fines or forfeitures due unto us, fit objects of our mercy, to pardon all such offenders, and to remit all such offences, fines, and forfeitures, treason and wilful murder only excepted, in which cases you shall likewise have power upon extraordinary occasions to grant reprieves to the offenders until, and to the intent that, our royal pleasure may be known therein.

Power to collate to ecclesiastical benefices.

And we do by these presents authorize and empower you to collate any person or persons to any churches, chapels, or other ecclesiastical benefices within our said province and territories aforesaid, as often as any of them shall happen to be void.

Power to levy troops, and employ them against enemies, pirates, and rebels;

And we do hereby give and grant unto you, the said Sir Danvers Osborn, by yourself or by your captains and commanders by you to be authorized, full power and authority to levy, arm, muster, command, and employ all persons whatsoever residing within our said province of New York and other the territories under your government, and, as occasion shall serve, to march them from one place to another, or to embark them, for the resisting and withstanding of all enemies, pirates, and rebels, both at sea and land; and to transport such forces to any of our plantations in America, if necessity shall require, for the defence of the same against the invasions or attempts of any of our enemies; and such enemies, pirates, and rebels, if there shall be occasion, to pursue and prosecute in or out of the limits of our said province and plantations, or any of them, and if it shall so please God, them to vanquish, apprehend, and, being taken, either according to law to put to death or keep and preserve alive at your discretion: and to execute martial law in time of invasion, or other times when by law it may be executed; and to do and execute all and every other thing and things which to our captain-general and governour in chief doth, or ought of right to belong.

and to execute martial law in time of war.

Power, with the consent of the council, to build forts and castles;

and to fortify and furnish them with arms, &c.

And we do hereby give and grant unto you full power and authority, by and with the advice and consent of our said council, to erect, raise, and build in our said province of New York and the territories depending thereon, such and so many forts and platforms, castles, cities, boroughs, towns, and fortifications as you, by the advice aforesaid, shall judge necessary; and the same, or any of them, to fortify and furnish with ordnance, ammunition, and all sorts of arms fit and necessary for the security and defence of our said province; and, by the advice aforesaid, the same again, or any of

of them, to demolish or dismantle, as may be most convenient. and to demolish or dismantle them.

And forasmuch as divers mutinies and disorders may happen by persons shipped and employed at sea during the time of war; and to the end that such as shall be shipped and employed at sea during time of war may be better governed and ordered, we do hereby give and grant unto you, the said Sir Danvers Osborn, full power and authority to constitute and appoint captains, lieutenants, masters of ships, and other commanders and officers, and to grant to such captains, lieutenants, masters of ships, and other commanders and officers, commissions to execute the law martial during the time of war, according to the directions of two acts, the one passed in the thirteenth year of the reign of king Charles the Second, intituled, "*An act for the establishing articles and orders for the regulating and better government of his Majesty's navies, ships of war, and forces by sea*;" and the other passed in the eighteenth year of our reign, intituled, "*An act for the further regulating and better government of his Majesty's navies, ships of war, and forces by sea, and for regulating proceedings upon courts martial in the sea service*;" and to use such proceedings, authorities, punishments, corrections, and executions upon any offender or offenders who shall be mutinous, seditious, disorderly, or any way unruly, either at sea, or during the time of their abode and residence in any of the ports, harbours, or bays of our said province and territories, as the case shall be found to require, according to the martial law and the said directions during the time of war as aforesaid. Power to appoint captains and other officers of ships, and to grant them commissions to execute the law martial according to the stat. 13 Car. II. and 18 Geo. II.

Provided that nothing herein contained shall be construed to the enabling you, or any by your authority, to hold plea or have any jurisdiction of any offences, cause, matter, or thing, committed or done upon the high sea or within any of the havens, rivers, or creeks of our said province and territories under your government, by any captain, commander, lieutenant, master, officer, seaman, soldier, or other person whatsoever, who shall be in our actual service and pay, in or on board any of our ships of war, or other vessels, acting by immediate commission or warrant from our commissioners for executing the office of our high admiral, or from our high admiral of Great Britain for the time being, under the seal of our admiralty; but that such captain, commander, lieutenant, master, officer, seaman, soldier, or other person so offending shall be left to be proceeded against and This shall not affect any officers, &c. on board ships commissioned by the admiralty, when they commit offences either on the high sea, or in any river, creek, or haven. But these persons shall be tried for such offences either

by commis-
sions under
the great
seal of Great
Britain or
by commis-
sion from
the admi-
ralty.

tried as their offences shall require, either by commission un-
der our great seal of Great-Britain as the statute of the
twenty-eighth of Henry the Eighth directs, or by commis-
sion from our said commissioners for executing the office of
our high admiral, or from our high admiral of Great Britain
for the time being, according to the afore-mentioned acts.

But for of-
fences com-
mitted on
shore, those
persons shall
be tried and
punished ac-
cording to
the laws of
the place
where the
offence shall
be commit-
ted.

Provided nevertheless, that all disorders and misdemeanours
committed on shore by any captain, commander, lieutenant,
master, officer, seaman, soldier, or other person whatsoever
belonging to any of our ships of war or other vessels, acting
by immediate commission or warrant from our said commis-
sioners for executing the office of our high admiral, or from
our high admiral of Great Britain for the time being, under
the seal of our admiralty, may be tried and punished accord-
ing to the laws of the place where any such disorder, offence,
and misdemeanour shall be committed on shore, notwithstand-
ing such offenders be in our actual service and borne in our pay
on board any such our ships of war, or other vessels acting
by immediate commission or warrant from our said commis-
sioners for executing the office of our high admiral, or from
our high admiral of Great Britain for the time being, as afore-
said, so as he shall not receive any protection for the avoiding
of justice for such offences committed on shore from any
pretence of his being employed in our service at sea.

Power, with
the consent
of the coun-
cil, to dis-
pose of all
public mo-
nies raised
in the pro-
vince for
the support
of the go-
vernment.

Power, with
the consent
of the coun-
cil, to grant
lands.

And our further will and pleasure is, that all public mo-
nies raised or which shall be raised by any act to be hereaf-
ter made within our said province and other the territories de-
pending thereon, be issued out by warrant from you, by
and with the advice and consent of our council, and disposed
of by you for the support of the government, and not
otherwise.

And we do hereby likewise give and grant unto you full
power and authority, by and with the advice and consent of
our said council, to settle and agree with the inhabitants of
our province and territories aforesaid for such lands, tene-
ments, and hereditaments as now are, or hereafter shall be,
in our power to dispose of, and them to grant to any person
or persons upon such terms and under such moderate quit-
rents, services, and acknowledgments, to be thereupon re-
served unto us, as you, by and with the advice aforesaid,
shall think fit : which said grants are to pass and be sealed by
our seal of New York, and, being entered upon record by
such officer or officers as are or shall be appointed thereunto,
shall

The grants
to be under
the public
seal to be
registered.

shall be good and effectual in law against us, our heirs, and successors.

And we do hereby give you, the said Sir Danvers Osborn, full power to order and appoint fairs, marts, and markets, as also such and so many ports, harbours, bays, havens, and other places for the convenience and security of shipping, and for the better loading and unloading of goods, and merchandizes, as by you, with the advice and consent of our said council, shall be thought fit and necessary.

And we do hereby require and command all officers and ministers civil and military, and all other inhabitants of our said province and territories depending thereon, to be obedient, aiding, and assisting unto you, the said Sir Danvers Osborn, in the execution of this our commission and the powers and authorities herein contained; and in case of your death or absence out of our said province and territories depending thereon, to be obedient, aiding and assisting unto such person as shall be appointed by us to be our lieutenant-governour or commander in chief of our said province; to whom we do therefore by these presents give and grant all and singular the powers and authorities herein granted, to be by him executed and enjoyed during our pleasure or until your arrival within our said province and territories.

And if, upon your death or absence out of our said province and territories depending thereon, there be no person upon the place commissioned or appointed by us to be our lieutenant-governour or commander in chief of our said province, our will and pleasure is, that the eldest counsellor, whose name is first placed in our said instructions to you, and who shall at the time of your death or absence be residing within our said province of New York, shall take upon him the administration of the government, and execute our said commission and instructions and the several powers and authorities therein contained, in the same manner and to all intents and purposes as other our governour and commander in chief of our said province should or ought to do in case of your absence until your return, or in all cases until our further pleasure be known therein.

And we do hereby declare, ordain, and appoint that you, the said Sir Danvers Osborn, shall and may hold, execute, and enjoy the office and place of our captain-general and governour in chief in and over our province of New York and the territories depending thereon, together with all and singular

Power, with the consent of the council, to appoint fairs, &c.

All officers, &c. are to be aiding and assisting to the governour in the execution of this commission; to the lieutenant-governour or commander in chief for the time being.

In case of the death or absence of the governour, and if there be no lieutenant-governour in the province, the command shall devolve upon the eldest counsellor.

This office of capt. gen. and gov. in chief of the sd. province shall be held during the King's pleasure.

gular the powers and authorities hereby granted unto you, for and during our will and pleasure.

Grant of the
office of capt
gen. and
commander
in chief of
the militia
and other
forces both
by sea and
land of the
colony of
Connecti-
cut.

And whereas there are divers colonies adjoining to our province of New York, for the defence and security whereof it is requisite that due care be taken in time of war; we have therefore thought it necessary for our service, and for the better protection and security of our subjects inhabiting those parts, to constitute and appoint, and we do by these presents constitute and appoint, you, the said Sir Danvers Osborn, to be our captain-general and commander in chief of the militia and of all the forces by sea and land within our colony of Connecticut, and of all our forts and places of strength within the same; and for the better ordering, governing and ruling our said militia and all our forces, forts, and places of strength within our said colony of Connecticut, we do hereby give and grant unto you, the said Sir Danvers Osborn, and, in your absence, to our commander in chief of our province of New York, all and every the like powers as in these presents are before granted and recited for the ruling, governing, and ordering our militia and all our forces, forts, and places of strength within our province of New York, to be exercised by you, the said Sir Danvers Osborn, and in your absence from our territories and dominion of New York, by our commander in chief of our province of New York, within our said colony of Connecticut, for and during our pleasure.

In witness whereof we have caused these our letters to be made patent.

Witness ourself at Westminster the first day of August in the twenty-seventh year of our reign.

By writ of privy seal,
YORKE and YORKE.

*The first Charter, granted by King Charles II. to the Lords Proprietors of CAROLINA. **

CHARLES the Second, by the grace of God king of England, Scotland, France and Ireland, Defender of the Faith, &c. To all to whom these presents shall come, greeting.

I. Whereas our right trusty and right well beloved cousins and counsellors, Edward earl of Clarendon, our high-chancellor of England, and George duke of Albemarle, master of our horse, and captain general of all our forces, our right trusty and well beloved William lord Craven, John lord Berkley, our right trusty and well beloved councillor Anthony lord Ashley, chancellor of our Exchequer, Sir George Carteret knight and baronet, vice-chamberlain of our household, and our trusty and well beloved Sir William Berkley knight, and Sir John Colleton knight and Baronet, being excited with laudable and pious zeal for the propagation of the christian faith, and the enlargement of our empire and dominions, have humbly besought leave of us, by their industry and charge, to transport and make an ample colony of our subjects, natives of our kingdom of England, and elsewhere within our dominions, unto a certain country hereafter described, in the parts of America, not yet cultivated or planted, and only inhabited by some barbarous people who have no knowledge of Almighty God.

II. And whereas the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, Sir John Colleton, have humbly besought us to give, grant and confirm unto them and their heirs the

Edward earl of Clarendon, &c. having besought the King for leave to make a colony in America, not yet cultivated or planted.

The King gives, grants and confirms unto them all that territory in America, bounded within 36 and 31 degrees northern latitude, and west as far as the south-seas.

* This and the succeeding charter are printed in this collection of papers, in order to be preserved. But they are of no force, having been surrendered to the King in the year 1729, and an act of Parliament passed in the same year, establishing the agreement of surrender; but reserving to Lord Carteret, afterwards Earl Granville, his property, who did not chuse to join in the surrender.

said

saïd country, with privileges and jurisdictions requisite for the good government and safety thereof. Know ye therefore, That we favouring the pious and noble purpose of the saïd Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, of our special grace, certain knowledge and meer motion, have given, granted and confirmed, and by this our present charter, for us, our heirs and successors, do give, grant and confirm unto the saïd Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, all that territory or tract of ground, situate, lying and being within our dominions of America, extending from the north-end of the island called Lucke-island, which lieth in the southern Virginia seas, and within six and thirty degrees of the northern latitude, and to the west as far as the south-seas, and so southerly as far as the river St. Matthias, which bordereth upon the coast of Florida, and within one and thirty degrees of northern latitude, and so west in a direct line as far as the south-seas aforesaid; together with all and singular ports, harbours, bays, rivers, isles and islets belonging to the country aforesaid, and also all the soil, lands, fields, woods, mountains, fields, lakes, rivers, bays and islets, situate or being within the bounds or limits aforesaid, with the fishing of all sorts of fish, whales, sturgeons and all other royal fishes in the sea, bays, islets and rivers, within the premises, and the fish therein taken; and moreover all veins, mines, quarries, as well discovered as not discovered, of gold, silver, gems, precious stones, and all other whatsoever, be it of stones, metals, or any other thing whatsoever found, or to be found within the countries, isles and limits aforesaid.

With the
patronage
and other
jurisdicti-
ons and pri-
vileges.

III. And furthermore the patronage and avowsons of all the churches and chappels, which as the christian religion shall increase within the country, isles, islets and limits aforesaid, shall happen hereafter to be erected, together with licence and power to build and found churches, chappels and oratories in convenient and fit places, within the saïd bounds and limits, and to cause them to be dedicated and consecrated according to the ecclesiastical laws of our kingdom of England, together with all and singular the like and as ample rights, jurisdictions, priviledges, prerogatives, royalties, liberties, immunities

immunities and franchises of what kind soever, within the countries, isles, islets and limits aforesaid.

IV. To have, use, exercise and enjoy, and in as ample manner as any bishop of Durham in our kingdom of England ever heretofore have held, used or enjoyed, or of right ought or could have, use or enjoy. And them the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, we do by these presents for us our heirs and successors, make, create, and constitute the true and absolute lords and proprietors of the country aforesaid, and of all other the premises; saving always the faith, allegiance and sovereign dominion due to us, our heirs and successors for the same, and saving also the right, title, and interest of all and every our subjects of the English nation, which are now planted within the limits and bounds aforesaid, (if any be). To have, hold, possess and enjoy the said country, isles, islets, and all and singular other the premises to them the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns for ever, to be holden of us, our heirs and successors, as of our manor of East Greenwich in our county of Kent, in free and common soccage, and not in capite, nor by knights service; yielding and paying yearly to us, our heirs and successors, for the same, the yearly rent of twenty marks of lawful money of England, at the feast of All Saints, yearly for ever; the first payment thereof to begin and to be made on the feast of All Saints, which shall be in the year of our Lord one thousand six hundred and sixty five, and also the fourth part of all gold and silver ore, which, within the limits aforesaid, shall from time to time happen to be found.

V. And that the country, thus by us granted and described, may be dignified by us with as large titles and privileges as any other part of our dominions and territories in that region, know ye that we of our further grace, certain knowledge and mere motion, have thought fit to erect the same tract of ground, country and island into a province, and out of the fulness of our royal power and prerogative, we do for us, our heirs and successors, erect, incorporate and ordain the same into a province, and do call it the province of Carolina, and so from henceforth will have it called: And forasmuch as we have hereby made

Creating them the true and absolute lords and proprietors of the said province.

The said tract of ground, country and islands erected into a province, by the name of the province of Carolina,

The King
grants pow-
er to ordain
and enact
laws for the
whole pro-
vince or any
particular
person
thereof.

and ordained the *aforesaid* Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carterett, Sir William Berkeley, and Sir John Colleton, their heirs and assigns the true lords and proprietors of all the province *aforesaid* : Know ye therefore moreover, that we, reposing especial trust and confidence in their fidelity, wisdom, justice, and provident circumspection, for us, our heirs and successors, do grant full and absolute power, by virtue of these presents, to them the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carterett, Sir William Berkeley, and Sir John Colleton, and their heirs, for the good and happy government of the said province, to ordain, make, enact, and under their seals to publish any laws whatsoever, either appertaining to the public state of the said province, or to the private utility of particular persons, according to their best discretion, of and with the advice, assent and approbation of the freemen of the said province, or of the greater part of them, or of their delegates or deputies, whom for enacting of the said laws, when and as often as need shall require, we will that the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, and their heirs, shall from time to time assemble, in such manner and form as to them shall seem best, and the same laws duly to execute, upon all people within the said province and limits thereof, for the time being, or which shall be constituted under the power and government of them, or any of them, either sailing towards the said province of Carolina, or returning from thence towards England, or any other of our, or foreign dominions, by imposition of penalties, imprisonment, or any other punishment; yea, if it shall be needful, and the quality of the offence requires it, by taking away member and life, either by them the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, and their heirs, or by them, or their deputies, lieutenants, judges, justices, magistrates, officers, and ministers, to be ordained or appointed, according to the tenor and true intention of these presents; and likewise to appoint and establish any judges or justices, magistrates

magistrates or officers whatsoever, within the said province, at sea or land, in such manner and form, as unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, and their heirs, shall seem most convenient: Also to remit, release, pardon, and abolish, (whether before judgment or after) all crimes and offences whatsoever, against the said laws, and to do all and every other thing and things, which unto the compleat establishment of justice unto courts, sessions and forms of judicature, and manners of proceedings therein, do belong, although in these presents, express mention be not made thereof; and by judges, by him or them delegated, to award, process, hold pleas, and determine in all the said courts, and places of judicature, all actions, suits, and causes whatsoever, as well criminal as civil, real, mixt, personal, or of any other kind or nature whatsoever; which laws, so as aforesaid to be published, our pleasure is, and we do require, enjoin and command, shall be absolute, firm and available in law, and that all the liege people of us, our heirs and successors, within the said province of Carolina, do observe and keep the same inviolably, in those parts, so far as they concern them, under the pains and penalties therein expressed, or to be expressed; provided nevertheless, that the said laws be consonant to reason, and as near as may be conveniently, agreeable to the laws and customs of this our kingdom of England.

And to appoint any judges or justices, magistrates or officers whatsoever.

VI. And because such assemblies of freeholders, cannot be so conveniently called, as there may be occasion to require the same; we do therefore by these presents, give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, by themselves or their magistrates, in that behalf lawfully authorized, full power and authority, from time to time, to make and ordain fit and wholesome orders and ordinances, within the province aforesaid, to be kept and observed, as well for the keeping of the peace, as for the better government of the people there abiding, and to publish the same to all to whom it may concern; which ordinances, we do by these presents, straightly charge and command to be inviolably observed, within the said province,

And till assemblies of freeholders can be called,

The said lords proprietors empowered to make orders and ordinances.

vince, under the penalties therein expressed, so as such ordinances be reasonable, and not repugnant or contrary, but as near as may be, agreeable to the laws and statutes of this our kingdom of England, and so as the same ordinances do not extend to the binding, charging, or taking away, of the right or interest, of any person or persons, in their freehold, goods or chattels, whatsoever.

Licence given to all the King's liege people to transport themselves to the said province.

VII. And to the end the said province may be the more happily encreased, by the multitude of people resorting thither, and may likewise be the more strongly defended from the incursions of savages, and other enemies, pirates and robbers, therefore we, for us, our heirs and successors, do give and grant by these presents, power, licence, and liberty, unto all the liege people, of us, our heirs and successors, in our kingdom of England, or elsewhere, within any other our dominions, islands, colonies, or plantations, (excepting those who shall be especially forbidden) to transport themselves and families unto the said province, with convenient shipping and fitting provisions, and there to settle themselves, dwell, and inhabit, any law, statute, act, ordinance or other thing to the contrary, in any wise, notwithstanding. And we will also, and of our more special grace, for us, our heirs and successors, do streightly enjoin, ordain, constitute and command, that the said province of Carolina, shall be of our allegiance, and that all and singular the subjects and liege people of us, our heirs and successors, transported, or to be transported into the said province, and the children of them, and of such as shall descend from them, there born, or hereafter to be born, be and shall be, denizens and lieges of us, our heirs and successors, of this our kingdom of England, and be in all things held, treated and reputed as the liege faithful people of us, our heirs and successors, born within this our said kingdom, or any other of our dominions, and may inherit, or otherwise purchase and receive, take, hold, buy, and possess any lands, tenements or hereditaments within the same places, and them may occupy, possess and enjoy, give, sell, aliene and bequeathe; as likewise all liberties, franchises and privileges of this our kingdom of England, and of other our dominions aforesaid, and may freely and quietly, have, possess and enjoy, as our liege people born within the same, without the least molestation, vexation, trouble or grievance, of us, our heirs and successors, any statute, act, ordinance or provision to the contrary notwithstanding.

VIII. And

VIII. And furthermore, that our subjects of this our said kingdom of England, and other our dominions, may be the rather encouraged to undertake this expedition, with ready and chearful minds ; know ye, that we, of our special grace, certain knowledge and mere motion, do give and grant by vertue of these presents, as well to the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, and their heirs, as unto all others as shall from time to time repair unto the said province, with a purpose to inhabit there, or to trade with the natives of the said province, full liberty and licence to lade and freight in any port whatsoever, of us, our heirs and successors, and into the said province of Carolina, by them, their servants and assigns, to transport all and singular their goods, wares and merchandizes ; as likewise all sorts of grain whatsoever, and any other things whatsoever, necessary for food and cloathing, not prohibited by the laws and statutes of our kingdoms and dominions to be carried out of the same, without any let or molestation, of us, our heirs and successors, or of any other of our officers or ministers whatsoever, saving also to us, our heirs and successors, the customs and other duties and payments, due for the said wares and merchandizes, according to the several rates of the places from whence they shall be transported. We will also, and by these presents, for us, our heirs and successors, do give and grant licence by this our charter, unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, and to all the inhabitants and dwellers in the province aforesaid, both present and to come, full power and absolute authority, to import or unlade, by themselves, or their servants, factors or assigns, all merchandizes and goods whatsoever, that shall arise of the fruits and commodities of the said province, either by land or by sea, into any of the ports of us, our heirs and successors, in our kingdom of England, Scotland or Ireland, or otherwise to dispose of the same goods, in the said ports ; and if need be, within one year next after the unlading, to lade the said merchandizes and goods again into the same, or other ships, and to export the same into any other countries, either of our dominions or foreign, being in amity with us, our heirs and successors,

The King grants licence to freight in every port, and to transport goods, wares and merchandizes, &c. saving to the King the customs and duties.

successors, so as they pay such customs, subsidies and other duties for the same, to us, our heirs and successors, as the rest of our subjects of this our kingdom, for the time being, shall be bound to pay, beyond which we will not that the inhabitants of the said province of Carolina, shall be any ways charged.

Sundry
goods to be
imported &
exported
custom free.

IX. Provided nevertheless, and our will and pleasure is, and we have further, for the consideration aforesaid, of our more especial grace, certain knowledge and meer motion, given and granted, and by these presents, for us, our heirs and successors, do give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, full and free licence, liberty and authority, at any time or times, from and after the feast of St Michael the arch-angel, which shall be in the year of our Lord Christ one thousand six hundred sixty and seven, as well to import, and bring into any of our dominions, from the said province of Carolina, or any part thereof, the several goods and commodities herein after mentioned, that is to say, silks, wine, currants, raisins, capers, wax, almonds, oyl and olives, without paying or answering, unto us, our heirs or successors, any custom, import, or other duty, for, or in respect thereof, for and during the term and space of seven years, to commence and be accounted, from and after the first importation of four tuns of any of the said goods, in any one bottom, ship or vessel from the said province, into any of our dominions; as also to export and carry out of any of our dominions into the said province of Carolina, custom free, all sorts of tools, which shall be useful or necessary for the planters there, in the accommodation and improvement of the premises, any thing before, in these presents contained, or any law, act, statute, prohibition, or other matter, or any thing heretofore had, made, enacted or provided, or hereafter to be had, made, enacted or provided to the contrary, in any wise notwithstanding.

Ports, harbours, &c.
to be constituted.

X. And furthermore, of our more ample and especial grace, certain knowledge, and meer motion, we do, for us, our heirs and successors, grant unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs

heirs and assigns, full and absolute power and authority, to make, erect and constitute, within the said province of Carolina, and the isles and islets aforesaid, such, and so many sea ports, harbours, creeks and other places, for discharge and unloading of goods and merchandizes out of ships, boats and other vessels, and for lading of them, in such and so many places, and with such jurisdiction, privileges and franchises, unto the said ports belonging, as to them shall seem most expedient, and that all and singular the ships, boats and other vessels, which shall come for merchandizes, and trade into the said province, or shall depart out of the same, shall be laden and unladen at such ports only, as shall be erected and constituted by the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret, Sir William Berkeley, and Sir John Colleton, their heirs and assigns, and not else where, any use, custom, or any other thing to the contrary in any wise notwithstanding.

XI. And we do furthermore will, appoint and ordain, by these presents for us, our heirs and successors, do grant unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret, Sir William Berkeley, and Sir John Colleton, their heirs and assigns, that they the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret, Sir William Berkeley, and Sir John Colleton, their heirs and assigns, may from time to time for ever, have and enjoy, the customs and subsidies in the ports, harbours, creeks and other places within the province aforesaid, payable for goods, merchandize and wares there laded, or to be laded or unladed, the said customs to be reasonably assessed, upon any occasion, by themselves, and by and with the consent of the free people there, or the greater part of them as aforesaid; to whom we give power, by these presents, for us our heirs and successors, upon just cause, and in a due proportion to assess and impose the same.

XII. And further, of our special grace, certain knowledge, and mere motion, we have given, granted and confirmed, and by these presents, for us, our heirs and successors, do give, grant and confirm unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret.

The subsidies to belong to the lords proprietors.

The lords proprietors may assign and grant the premises or any part thereof

to him or
them that
will pur-
chase the
same.

Carteret, Sir William Berkley and Sir John Colleton, their heirs and assigns, full and absolute licence, power and authority, that the said Edward earl of Clarendon, George duke of Albemarle, William Lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, from time to time hereafter for ever, at his and their will and pleasure, may assign, alien, grant, demise or enfeof the premises, or any parte or parcels thereof, to him or them that shall be willing to purchase the same, and to such person or persons as they shall think fit, to have and to hold, to them the said person or persons, their heirs and assigns, in fee simple or fee tayle, or for term of life, or lives, or years, to be held of them the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, by such rents, services and customs, as shall seem meet to the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, and not immediately of us, our heirs and successors, and to the same person and persons, and to all and every of them, we do give and grant by these, presents, for us, our heirs and successors, licence authority and power, that such person or persons, may have or take the premises, or any parcel thereof, of the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, and the same to hold, to themselves, their heirs or assigns, in what estate of inheritance whatsoever, in fee simple or fee tayle, or otherwise, as to them and the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, shall seem expedient; the statute made in the parliament of Edward, son of King Henry, heretofore King of England, our predecessor, commonly called the statute of *Quia emptores terrarum*; or any other statute, act, ordinance, use, law, custom or any other matter, cause or thing heretofore published or provided to the contrary, in any wise, notwithstanding.

XIII. And because many persons born or inhabiting in the said province, for their deserts and services, may expect and be capable of marks of honour and favour, which, in respect of the great distance, cannot be conveniently conferred by us; our will and pleasure therefore is, and we do by these presents give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, full power and authority, to give and confer, unto and upon, such of the inhabitants of the said province, as they shall think do, or shall merit the same, such marks of favour and titles of honour, as they shall think fit, so as these titles of honour be not the same as are enjoyed by, or conferred upon, any of the subjects of this our kingdom of England.

The lords proprietors impowered to confer titles of honour.

XIV. And further also, we do by these presents, for us, our heirs and successors, give and grant licence to them the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, full power, liberty and licence to erect, raise and build, within the said province and places aforesaid, or any part or parts thereof, such, and so many forts, fortresses, castles, cities, burroughs, towns, villages and other fortifications whatsoever, and the same, or any of them to fortify and furnish with ordnance, powder, shot, armory and all other weapons, ammunition, habilements of war, both offensive and defensive, as shall be thought fit and convenient for the safety and welfare of the said province and places, or any part thereof, and the same, or any of them, from time to time, as occasion shall require, to dismantle, disfurnish, demolish and pull down, and also to place, constitute and appoint, in and over all or any of the said castles, forts, fortifications, cities, towns and places aforesaid, governors, deputy governors, magistrates, sheriffs and other officers, civil and military, as to them shall seem meet, and to the said cities, burroughs, towns, villages, or any other place or places within the said province, to grant letters or charters of incorporation, with all liberties, franchises and privileges requisite and useful, or to, or within any corporations within this our kingdom of England, granted or belonging; and in the same cities, burroughs, towns and other places, to constitute, erect and appoint, such, and

And to erect forts, castles, cities, towns and other fortifications.

so many markets, marts and fairs, as shall in that behalf be thought fit and necessary, and further also to erect and make in the province aforesaid, or any part thereof, so many mannors, as to them shall seem meet and convenient, and in every of the same mannors, to have and to hold a court baron, with all things whatsoever which to a court baron do belong, and to have and to hold views of frank pledge and court leet, for the conservation of the peace, and better government of those parts, within such limits, jurisdictions and precincts, as by the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, or their heirs, shall be appointed for that purpose, with all things whatsoever, which to a court leet or view of frank pledge do belong, the said court to be holden by stewards, to be deputed and authorized by the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, or their heirs, or by the lords of other mannors and leets for the time being, when the same shall be erected.

Power to
levy, muster
and train
men, and
make war.

XV. And because that in so remote a country, and situated among so many barbarous nations, and the invasions as well of salvages as other enemies, pirates and robbers, may probably be feared; therefore we have given, and for us our heirs and successors, do give power by these presents, unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, by themselves, or their captains, or other their officers, to levy, muster and train, all sorts of men, of what condition, or wheresoever born, in the said province, for the time being; and to make war, and pursue the enemies aforesaid, as well by sea as by land; yea, even without the limits of the said province, and by God's assistance, to vanquish and take them, and being taken, to put them to death by the law of war, or to save them at their pleasure; and to do all and every other thing, which unto the charge of a captain general of an army belongeth, or hath accustomed to belong, as fully and freely as any captain general of an army hath or ever had the same.

XVI. Also

XVI. Also, our will and pleasure is, and by this our charter we give unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley and Sir John Colleton, their heirs and assigns, full power, liberty, and authority, in case of rebellion, tumult or sedition, (if any should happen) which God forbid, either upon the land within the province aforesaid, or upon the main sea, in making a voyage thither, or returning from thence, by him and themselves, their captains, deputies and officers, to be authorized under his or their seals for that purpose. To whom also, for us, our heirs and successors, we do give and grant, by these presents, full power and authority, to exercise martial law against mutinous and seditious persons of those parts, such as shall refuse to submit themselves to their government, or shall refuse to serve in the wars, or shall fly to the enemy, or forsake their colours or ensigns, or be loyterers or stragglers, or otherwise howsoever offending against law, custom or discipline military, as freely and in as ample manner and form as any captain general of an army, by virtue of his office, might or hath accustomed to use the same.

And to exercise martial law.

XVII. And our further pleasure is, and by these presents, for us, our heirs and successors, we do grant unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, and to all the tenants and inhabitants of the said province of Carolina, both present and to come, and to every of them, that the said province, and the tenants and inhabitants thereof, shall not, from henceforth, be held or reputed a member or part of any colony whatsoever in America, or elsewhere, now transported or made, or hereafter to be transported or made; nor shall be depending on, or subject to their government, in any thing, but be absolutely separated and divided from the same: and our pleasure is, by these presents, that they be separated, and that they be subject immediately to our crown of England, as depending thereof for ever; and that the inhabitants of the said province, nor any of them, shall at any time hereafter be compelled, or compellable, or be any ways subject or liable, to appear or answer to any matter, suit, cause or plaint whatsoever, out of the province aforesaid, in any other of our islands, colonies or dominions in

The province of Carolina & the inhabitants thereof to be subject immediately to the crown of England.

America, or elsewhere, other than in our realm of England and dominion of Wales.

The lords
proprietors
impowered
to grant li-
berty of
conscience.

XVIII. And because it may happen, that some of the people and inhabitants of the said province, cannot in their private opinions conform to the public exercise of religion, according to the liturgy, form and ceremonies of the church of England, or take and subscribe the oaths and articles made and established in that behalf, and for that the same, by reason of the remote distances of these places, will, we hope, be no breach of the unity and uniformity established in this nation, our will and pleasure therefore is, and we do by these presents, for us, our heirs and successors, give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, full and free licence, liberty and authority, by such legal ways and means as they shall think fit, to give and grant unto such person and persons inhabiting and being within the said province, or any part thereof, who really in their judgments, and for conscience sake, cannot or shall not conform to the said liturgy and ceremonies, and take and subscribe the oaths and articles aforesaid, or any of them, such indulgencies and dispensations in that behalf, for and during such time and times, and with such limitations and restrictions, as they the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir John Carteret, Sir William Berkley, and Sir John Colleton, their heirs or assigns, shall in their discretion think fit and reasonable; and with this express proviso and limitation also, that such person or persons, to whom such indulgences and dispensations shall be granted as aforesaid, do and shall, from time to time, declare and continue all fidelity, loyalty and obedience to us, our heirs and successors, and be subject and obedient to all other the laws, ordinances and constitutions of the said province, in all matters whatsoever, as well ecclesiastical as civil, and do not in any wise disturb the peace and safety thereof, or scandalize or reproach the said liturgy, forms and ceremonies, or any thing relating thereunto, or any person or persons whatsoever, for or in respect of his or their use or exercise thereof, or his or their obedience or conformity thereunto.

XIX. And in case it shall happen, that any doubts or questions should arise, concerning the true sense and understanding

derstanding of any word, clause or sentence, contained in this our present charter, we will, ordain, and command, that at all times, and in all things, such interpretation be made thereof, and allowed in all and every of our courts whatsoever, as lawfully may be adjudged most advantageous and favourable to the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, although express mention be not made in these presents, of the true yearly value and certainty of the premises, or any part thereof, or of any other gifts and grants made by us, our ancestors or predecessors, to them the said Edward earl of Clarendon, George duke of Albemarle, William lord Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, or any other person or persons whatsoever, or any statute, act, ordinance, provision, proclamation or restraint heretofore had, made, published, ordained or provided, or any other thing, cause or matter whatsoever, to the contrary thereof, in any wise notwithstanding.

In case of doubts or questions, the interpretation to be made most advantageous and favourable to the lords proprietors.

In witness, &c. Witness the King, at Westminster, the four and twentieth day of March, in the fifteenth year of our reign.

Per ipsum regem.

The second Charter, granted by King Charles II. to the Lords Proprietors of CAROLINA.

His Majesty
King
Charles II.

Reciting a
former
charter,
wherein was
granted to
Edward earl
of Clarendon, &c.
all that territory in America called Carolina.

CHARLES the Second, by the grace of God king of England, Scotland, France and Ireland, Defender of the Faith, &c.

I. Whereas by our letters patents, bearing date the four and twentieth day of March, in the fifteenth year of our reign, we were graciously pleased to grant unto our right trusty and right well beloved cousin and counsellor Edward earl of Clarendon, our high-chancellor of England, our right trusty and right intirely beloved cousin and counsellor George duke of Albemarle, master of our horse, our right trusty and well beloved William now earl of Craven, our right trusty and well beloved counsellor John lord Berkley, our right trusty and well beloved counsellor Anthony lord Ashley, chancellor of our Exchequer, our right trusty and well beloved counsellor Sir George Carteret knight and baronet, vice-chamberlain of our household, our right trusty and well beloved Sir John Colleton knight and baronet, and Sir William Berkley knight, all that province, territory or tract of ground, called Carolina, situate, lying and being within our dominions of America, extending from the north-end of the island called Lucke-island, which lieth in the southern Virginia seas, and within six and thirty degrees of the northern latitude, and to the west as far as the south-seas, and so respectively as far as the river of Matthias, which bordereth upon the coast of Florida, and within one and thirty degrees of the northern latitude, and so west in a direct line as far as the south-seas aforesaid.

His said
Majesty is
now pleased
to enlarge
the said
grant unto
the said
lords proprietors.

II. Know ye, that we, at the humble request of the said grantees in the aforesaid letters patents named, and as a further mark of our especial favour towards them, we are graciously pleased to enlarge our said grant unto them, according to the bounds and limits hereafter specified, and in favour to the pious and noble purpose of the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, all that province, territory or tract of ground

ground, scituate, lying and being within our dominions of America aforesaid, extending north and eastward as far as the north end of Charahake river, or gulet, upon a streight westerly line to Wyonoake creek, which lies within or about the degrees of thirty-six and thirty minutes northern latitude, and so west in a direct line as far as the south-seas; and south and westward as far as the degrees of twenty-nine inclusive northern latitude, and so west in a direct line as far as the south-seas; together with all and singular ports, harbours, bays, rivers and islets belonging unto the province or territory aforesaid, and also all the soil, lands, fields, woods, mountains, fers, lakes, rivers, bays and islets, scituate, or being within the bounds or limits last before mentioned; with the fishing of all sorts of fish, whales, sturgeons, and all other royal fishes in the sea, bays, islets and rivers within the premises, and the fish therein taken, together with the royalty of the sea upon the coasts within the limits aforesaid. And moreover all veins, mines and quarries, as well discovered as not discovered, of gold, silver, gems and precious stones, and all other whatsoever, be it of stones, metal or any other thing found, or to be found within the province, territory, islets and limits aforesaid.

III. And furthermore the patronage and avowsons of all the churches and chapels, which, as christian religion shall increase within the province, territory, islets and limits aforesaid, shall happen hereafter to be erected; together with licence and power to build and found churches, chapels and oratories in convenient and fit places within the said bounds and limits, and to cause them to be dedicated and consecrated, according to the ecclesiastical laws of our kingdom of England; together with all and singular the like, and as ample rights, jurisdictions, privileges, prerogatives, royalties, liberties, immunities and franchises of what kind soever, within the countries, isles, islets and limits aforesaid. To have, hold, use, exercise and enjoy the same, as amply, fully, and in as ample manner as any bishop of Durham in our kingdom of England ever heretofore had, held, used or enjoyed, or of right ought or could have, use or enjoy. And them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, we do by these presents for us our heirs and successors, make, create, and constitute the true and absolute lords and proprietors

With the patronage and avowsons of all churches and chapels.

prietors of the said province or territory, and of all other the premises; saving always the faith, allegiance and sovereign dominion due to us, our heirs and successors for the same: To have, hold, possess and enjoy the said province, territory, islets, and all and singular other the premises to them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns for ever, to be holden of us, our heirs and successors, as of our mannor of East Greenwich in Kent, in free and common soccage, and not in capite, or by knights service; yielding and paying yearly to us, our heirs and successors, for the same, the fourth part of all gold and silver ore, which, within the limits hereby granted, shall from time to time happen to be found, over and besides the yearly rent of twenty marks and the fourth part of the gold and silver ore, in and by the said recited letters patents reserved and payable.

The tract of
ground
hereby
granted an-
nexed to the
province of
Carolina.

IV. And that the province or territory hereby granted and described, may be dignified with as large titles and privileges as any other parts of our dominions and territories in that region: Know ye, that we, of our further grace, certain knowledge and mere motion, have thought fit to annex the same tract of ground and territory unto the same province of Carolina; and out of the fullness of our royal power and prerogative, we do for us, our heirs and successors, annex and unite the same to the said province of Carolina. And forasmuch as we have made and ordained the aforesaid Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carterett, Sir John Colleton, and Sir William Berkeley, their heirs and assigns, the true lords and proprietors of all the province or territory aforesaid: Know ye therefore moreover, that we, reposing especial trust and confidence in their fidelity, wisdom, justice, and provident circumspection, for us, our heirs and successors, do grant full and absolute power, by virtue of these presents, to them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, Sir George Carterett, Sir John Colleton, Sir William Berkeley, and their heirs and assigns, for the good and happy government of the said whole province or territory, full power and authority, to erect, constitute and
make

make several counties, baronies and colonies of and within the said provinces, territories, lands and hereditaments, in and by the said recited letters patents and these presents granted, or mentioned to be granted as aforesaid, with several and distinct jurisdictions, powers, liberties and privileges: and also to ordain, make, and enact, and under their seals to publish, any laws and constitutions whatsoever, either appertaining to the public state of the said whole province or territory, or of any distinct or particular county, barony or colony, of or within the same, or to the private utility of particular persons, according to their best discretion, by and with the advice, assent and approbation of the freemen of the said province, or territory, or of the freemen of the county, barony or colony, for which such law or constitution shall be made, or the greater part of them, or of their delegates or deputies, whom for enacting of the said laws, when and as often as need shall require, we will that the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, and their heirs and assigns, shall from time to time assemble, in such manner and form as to them shall seem best, and the same laws duly to execute, upon all people within the said province or territory, county, barony or colony, and the limits thereof, for the time being, which shall be constituted under the power and government of them, or any of them, either sailing towards the said province or territory of Carolina, or returning from thence towards England, or any other of our, or foreign dominions, by imposition of penalties, imprisonment, or any other punishment; yea, if it be needful, and the quality of the offence require it, by taking away member and life, either by them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, and their heirs, or by them, or their deputies, lieutenants, judges, justices, magistrates, officers, ministers, to be ordained and appointed, according to the true tenor and intention of these presents; And likewise to erect or make any court or courts whatsoever of judicature, or otherwise, as shall be requisite; and to appoint and establish any judges or justices, magistrates or officers whatsoever, as well within the said province, as at sea, in such manner and form as unto the said

The lords proprietors empowered to constitute counties, baronies, and colonies within the said province, and to enact laws and constitutions.

And to erect courts of judicature and to appoint judges, justices, &c.

Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, and their heirs, shall seem most convenient: Also to remit, release, pardon, and abolish, (either before judgment or after) all crimes and offences whatsoever, against the said laws, and to do all and every other thing and things, which unto the compleat establishment of justice unto courts, sessions and forms of judicature, and manners of proceedings therein, do belong, although in these presents, express mention is not made thereof; and by judges, by him or them delegated, to award process, hold pleas, and determine in all the said courts, and places of judicature, all actions, suits, and causes whatsoever, as well criminal as civil, real, mixt, personal, or of any other kind or nature whatsoever; which laws, so as aforesaid to be published, our pleasure is, and we do enjoin, require and command, shall be absolutely firm and available in law, and that all the liege people of us, our heirs and successors, within the said province or territory, do observe and keep the same inviolably, in those parts, so far as they concern them, under the pains and penalties therein expressed, or to be expressed; provided nevertheless, that the said laws be consonant to reason, and as near as may be conveniently, agreeable to the laws and customs of this our realm of England.

And to
make orders
and ordi-
nances.

V. And because such assemblies of freeholders, cannot be so suddenly called, as there may be occasion to require the same; we do therefore by these presents, give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir William Berkley, and Sir John Colleton, their heirs and assigns, by themselves or their magistrates, in that behalf lawfully authorized, full power and authority, from time to time, to make and ordain fit and wholesome orders and ordinances, within the province or territory aforesaid, or any county, barony or province, of or within the same, to be kept and observed, as well for the keeping of the peace, as for the better government of the people there abiding, as to publish the same to all to whom it may concern; which ordinances, we do by these presents, streightly charge and command to be inviolably observed, within the same province, counties, territories, baronies and provinces, under the

the penalties therein expressed, so as such ordinances be reasonable, and not repugnant or contrary, but as near as may be, agreeable to the laws and statutes of this our kingdom of England, and so as the same ordinances do not extend to the binding, charging, or taking away, of the right or interest, of any person or persons, in their freehold, goods or chattels, whatsoever.

VI. And to the end the said province or territory may be the more happily encreased, by the multitude of people resorting thither, and may likewise be more strongly defended from the incursions of savages, and other enemies, pirates and robbers, therefore we, for us, our heirs and successors, do give and grant by these presents, power, licence, and liberty, unto all the liege people, of us, our heirs and successors, in our kingdom of England, or elsewhere, within any other our dominions, islands, colonies, or plantations, (excepting those who shall be especially forbidden) to transport themselves and families into the said province or territory, with convenient shipping and fitting provisions, and there to settle themselves, dwell, and inhabit, any law, act, statute, ordinance or other thing to the contrary, in any wise, notwithstanding.

Licence given to all the King's liege people to transport themselves thither.

VII. And we will also, and of our more special grace, for us, our heirs and successors, do streightly enjoin, ordain, constitute and command, that the said province or territory, shall be of our allegiance, and that all and singular the subjects and liege people of us, our heirs and successors, transported, or to be transported into the said province, and the children of them, and such as shall descend from them, there born, or hereafter to be born, be and shall be, denizens and lieges of us, our heirs and successors, of this our kingdom of England, and be in all things held, treated and reputed as the liege faithful people of us, our heirs and successors, born within this our said kingdom, or any other of our dominions, and may inherit, or otherwise purchase and receive, take, hold, buy, and possess, any lands, tenements or hereditaments within the said places, and them may occupy, and enjoy, sell, alien and bequeathe; as likewise all liberties, franchises and privileges, of this our kingdom, and of other our dominions aforesaid, may freely and quietly, have, possess and enjoy, as our liege people born within the same, without the least molestation, vexation, trouble or grievance, of us, our heirs and successors,

The said province to be of the King's allegiance.

successors, any act, statute, ordinance, provision to the contrary notwithstanding.

The King grants licence to freight in every port, and to transport goods, wares and merchandizes, &c. saving to the King the customs and duties.

VIII. And furthermore, that our subjects of this our said kingdom of England, and other our dominions, may be the rather encouraged to undertake this expedition, with ready and chearful minds; know ye, that we, of our especial grace, certain knowledge and mere motion, do give and grant by vertue of these presents, as well to the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, and their heirs, as unto all others as shall from time to time repair unto the said province or territory, with a purpose to inhabit there, or to trade with the natives thereof, full liberty and licence to trade and freight in every port whatsoever, of us, our heirs and successors, and into the said province of Carolina, by them, their servants and assigns, to transport all and singular their goods, wares and merchandizes; as likewise all sorts of grain whatsoever, and any other thing whatsoever, necessary for food and cloathing, not prohibited by the laws and statutes of our kingdoms and dominions to be carried out of the same, without any let or molestation, of us, our heirs and successors, or of any other our officers or ministers whatsoever, saving also to us, our heirs and successors, the customs and other duties and payments, due for the said wares and merchandizes, according to the several rates of the places from whence the same shall be transported.

Sundry goods to be imported & exported custom free.

IX. We will also, and by these presents, for us, our heirs and successors, do give and grant licence by this our charter, unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, and to all the inhabitants and dwellers in the province or territory aforesaid, both present and to come, full power and absolute authority, to import or unlade, by themselves, or their servants, factors or assigns, all merchandizes and goods whatsoever, that shall arise of the fruits and commodities of the said province or territory, either by land or sea, into any the ports of us, our heirs and successors, in our kingdom of England, Scotland or Ireland, or otherwise to dispose of the said goods, in the said ports; and if need be, within one year next after the unlading, to lade the said merchandizes

chandizes and goods again into the same, or other ships, and to export the same into any other countries, either of our dominions or foreign, being in amity with us, our heirs and successors, so as they pay such customs, subsidies and other duties for the same, to us, our heirs and successors, as the rest of our subjects of this our kingdom, for the time being, shall be bound to pay, beyond which we will not that the inhabitants of the said province or territory, shall be any ways charged. Provided nevertheless, and our will and pleasure is, and we have further, for the considerations aforesaid, of our special grace, certain knowledge and meer motion, given and granted, and by these presents, for us, our heirs and successors, do give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkeley, their heirs and assigns, full and free licence, liberty, power and authority, at any time or times, from and after the feast of St Michael the arch-angel, which shall be in the year of our Lord Christ one thousand six hundred sixty and seven, as well to import, and bring into any our dominions, from the said province of Carolina, or any part thereof, the several goods and commodities herein after mentioned, that is to say, silk, wines, currants, raisins, capers, wax, almonds, oyl and olives, without paying or answering, to us, our heirs or successors, any custom, import, or other duty, for, or in respect thereof, for and during the time and space of seven years, to commence and be accounted, from and after the first importation of four tuns of any of the said goods, in any one bottom, ship or vessel from the said province or territory into any of our dominions; as also to export and carry out of any of our dominions into the said province or territory, custom free, all sorts of tools, which shall be useful and necessary for the planters there, in the accommodation and improvement of the premises, any thing before, in these presents contained, or any law, act, statute, prohibition, or other matter, or thing heretofore had, made, enacted or provided, or hereafter to be had, made, enacted or provided, in any wise notwithstanding.

X. And furthermore, of our more ample and especial grace, certain knowledge, and meer motion, we do, for us, our heirs and successors, grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven,

Ports, harbours, &c.
to be constituted.

ven,

ven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, full and absolute power and authority, to make, erect and constitute, within the said province or territory, and the isles and islets aforesaid, such, and so many sea ports, harbours, creeks and other places, for discharge and unloading of goods and merchandizes out of ships, boats and other vessels, and for lading of them, in such and so many places, and with such jurisdiction, privileges and franchises, unto the said ports belonging, as to them shall seem most expedient, and that all and singular the ships, boats and other vessels, which shall come for merchandizes, and trade into the said province or territory, or shall depart out of the same, shall be laden and unladen at such ports only, as shall be erected and constituted by the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, and not else where, any use, custom, or any thing to the contrary in any wise notwithstanding.

The subsidies to belong to the lords proprietors.

XI. And we do furthermore will, appoint and ordain, and by these presents for us, our heirs and successors, do grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, that they the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, may from time to time for ever, have and enjoy, the customs and subsidies in the ports, harbours, creeks and other places within the province aforesaid, payable for the goods, merchandizes and wares there laded, or to be laded or unladed, the said customs to be reasonably assessed to, upon any occasion, by themselves, and by and with the consent of the free people, or the greater part of them as aforesaid; to whom we give power, by these presents, for us our heirs and successors, upon just cause, and in a due proportion, to assess and impose the same.

The lords proprietors may assign and grant the premises or any

XII. And further, of our special grace, certain knowledge, and mere motion, we have given, granted and confirmed, and by these presents, for us, our heirs and successors, do give, grant and confirm unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven,

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oio

Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, full and absolute power, licence and authority, that the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, from time to time hereafter for ever, at his or their will and pleasure, may assign, alien, grant, demise or enfeof the premises, or any part or parcels thereof, to him or them that shall be willing to purchase the same, and to such person or persons as they shall think fit, to have and to hold, to them the said person or persons, their heirs and assigns, in fee simple or in fee taylor, or for term of life, or lives, or years, to be held of them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, by such rents, services and customs, as shall seem fit to them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, and their heirs and assigns, and not of us, our heirs and successors; and to the same person and persons, and to all and every of them, we do give and grant by these presents, for us, our heirs and successors, licence authority and power, that such person or persons, may have or take the premises, or any parcel thereof, of the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs or assigns, and the same to hold, to themselves, their heirs or assigns, in what estate of inheritance soever, in fee simple or in fee taylor, or otherwise, as to them and the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, shall seem expedient; the statute in the parliament of Edward, son of King Henry, heretofore King of England, our predecessor, commonly called the statute of *Quia emptores terrarum*; or any other statute, act, ordinance, use, law, custom or any other matter, cause or thing heretofore published

part thereof,
to him or
them that
will purchase the
same.

lished or provided to the contrary, in any wise, notwithstanding.

The lords
proprietors
impowered
to confer
titles of
honour.

XIII. And because many persons born or inhabiting in the said province, for their deserts and services, may expect and be capable of marks of honour and favour, which, in respect of the great distance, cannot conveniently be conferred by us; our will and pleasure therefore is, and we do by these presents give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, full power and authority, to give and confer, unto and upon, such of the inhabitants of the said province or territory, as they shall think do or shall merit the same, such marks of favour and titles of honour, as they shall think fit, so as their titles or honours be not the same as are enjoyed by, or conferred upon, any of the subjects of this our kingdom of England.

And to erect
forts, cast-
les, cities,
towns and
other forti-
fications.

XIV. And further also, we do by these presents, for us, our heirs and successors, give and grant licence to them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, full power, liberty and licence to erect, raise and build, within the said province and places aforesaid, or any part or parts thereof, such, and so many forts, fortresses, castles, cities, burroughs, towns, villages and other fortifications whatsoever, and the same, or any of them to fortify and furnish with ordnance, powder, shot, armour and all other weapons, ammunition and habilements of war, both defensive and offensive, as shall be thought fit and convenient for the safety and welfare of the said province and places, or any part thereof, and the same, or any of them, from time to time, as occasion shall require, to dismantle, disfurnish, demolish and pull down, and also to place, constitute and appoint, in or over all or any of the said castles, forts, fortifications, cities, towns and places aforesaid, governors, deputy governors, magistrates, sheriffs and other officers, civil and military, as to them shall seem meet, and to the said cities, burroughs, towns, villages, or any other place or places within the said province or territory, to grant letters or charters of incorporation, with all the liberties, franchises and privileges requisite or usual, or to, or within this our kingdom of England, granted or belonging; and

and in the same cities, burroughs, towns and other places, to constitute, erect and appoint, such, and so many markets, marts and fairs, as shall in that behalf be thought fit and necessary, and further also to erect and make in the province or territory aforesaid, or any part thereof, so many manors with such signories, as to them shall seem meet and convenient, and in every of the said manors, to have and to hold a court baron, with all things whatsoever which to a court baron do belong, and to have and to hold views of frank pledge and court leet, for the conservation of the peace, and better government of those parts, with such limits, jurisdictions and precincts, as by the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, or their heirs, shall be appointed for that purpose, with all things whatsoever, which to a court leet or view of frank pledge do belong, the said courts to be holden by stewards, to be deputed and authorized by the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, or their heirs, by the lords of the manors and leets for the time being, when the same shall be erected.

XV. And because that in so remote a country, and sci- Power to
 tuate among so many barbarous nations, the invasions levy, muster
 as well of salvages as other enemies, pirates and robbers, and train
 may probably be feared; therefore we have given, and for men, and
 us our heirs and successors, do give power by these presents, make war,
 unto the said Edward earl of Clarendon, George duke of
 Albemarle, William earl of Craven, John lord Berkley, An-
 thony lord Ashley, Sir George Carteret, Sir John Colleton,
 and Sir William Berkley, their heirs and assigns, by them-
 selves, or their captains, or other officers, to levy, muster and
 train up, all sorts of men, of what condition, soever or whereso-
 ever born, whether in the said province or elsewhere, for the time
 being; and to make war, and pursue the enemies aforesaid, as
 well by sea as by land; yea, even without the limits of the
 said province, and by God's assistance, to vanquish and take
 them, and being taken, to put them to death by the law of
 war, and to save them at their pleasure; and to do all and eve-
 ry other thing, which to the charge and office of a captain ge-
 neral of an army belongeth, or hath accustomed to belong,
 as fully and freely as any captain general of an army
 hath had the same.

And to ex-
ercise mar-
tial law.

XVI. Also, our will and pleasure is, and by this our charter we give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley their heirs and assigns, full power, liberty, and authority, in case of rebellion, tumult or sedition, (if any should happen) which God forbid, either upon the land within the province aforesaid, or upon the main sea, in making a voyage thither, or returning from thence, by him and themselves, their captains, deputies or officers, to be authorized under his or their seals for that purpose: to whom also, for us, our heirs and successors, we do give and grant, by these presents, full power and authority, to exercise martial law against mutinous and seditious persons of those parts, such as shall refuse to submit themselves to their government, or shall refuse to serve in the wars, or shall fly to the enemy, or forsake their colours or ensigns, or be loiterers or stragglers, or otherwise howsoever offending against law, custom or military discipline, as freely and in as ample manner and form as any captain general of an army, by virtue of his office, might or hath accustomed to use the same.

The pro-
vince of
Carolina &
the inhabi-
tants there-
of to be sub-
ject imme-
diately to
the crown
of England.

XVII. And our further pleasure is, and by these presents, for us, our heirs and successors, we do grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, and to all the tenants and inhabitants of the said province or territory, both present and to come, and to every of them, that the said province or territory, and the tenants and inhabitants thereof, shall not, from henceforth, be held or reputed a member or part of any colony whatsoever in America, or elsewhere, now transported or made, or hereafter to be transported or made; nor shall be depending on, or subject to their government, in any thing, but be absolutely separated and divided from the same: and our pleasure is, by these presents, that they be separated, and that they be subject immediately to our crown of England, as depending thereof for ever; and that the inhabitants of the said province or territory, nor any of them, shall at any time hereafter be compelled, or compellable, or be any ways subject or liable, to appear or answer to any matter, suit, cause or plaint whatsoever, out of the province or territory aforesaid, in any other of our islands, colonies or dominions in America,

America, or elsewhere, other than in our realm of England and dominion of Wales.

XVIII. And because it may happen, that some of the people and inhabitants of the said province, cannot in their private opinions conform to the public exercise of religion, according to the liturgy, form and ceremonies of the church of England, or take and subscribe the oaths and articles made and established in that behalf, and for that the same, by reason of the remote distances of those places, will, as we hope, be no breach of the unity and conformity established in this nation, our will and pleasure therefore is, and we do by these presents, for us, our heirs and successors, give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, full and free licence, liberty and authority, by such ways and means as they shall think fit, to give and grant unto such person and persons inhabiting and being within the said province or territory, hereby, or by the said recited letters patents, mentioned to be granted as aforesaid, or any part thereof, such indulgencies and dispensations in that behalf, for and during such time and times, and with such limitations and restrictions, as they the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs or assigns, shall in their discretion think fit and reasonable; and that no person or persons, unto whom such liberty shall be given, shall be any way molested, punished, disquieted, or called in question, for any difference in opinion or practice, in matters of religious concernment, who do not actually disturb the civil peace of the province, county or colony that they shall make their abode in; but all and every such person and persons, may from time to time, and at all times, freely and quietly have and enjoy his or their judgments and consciences in matters of religion, throughout all the said province or colony, they behaving peaceably, and not using this liberty to licentiousness, nor to the civil injury or outward disturbance of others; any law, statute or clause, contained or to be contained, usage or customs of our realm of England, to the contrary hereof, in any wise notwithstanding.

XIX. And in case it shall happen, that any doubts or questions should arise, concerning the true sense and understanding

The lords
proprietors
impowered
to grant li-
berty of
conscience.

In case of doubts or questions, the interpretation to be made most advantageous and favourable to the lords proprietors.

derstanding of any word, clause or sentence, contained in this our present charter, we will, ordain, and command, that at all times, and in all things, such interpretation be made thereof, and allowed in all and every of our courts whatsoever, as lawfully may be adjudged most advantageous and favourable to the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkley, Anthony lord Ashley, Sir George Carteret, Sir John Colleton, and Sir William Berkley, their heirs and assigns, although express mention, &c.

Witness ourself at Westminster, the thirtieth day of June, in the seventeenth year of our reign.

Per ipsum Regem.

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